

1114. By Mr. CONNERY: Resolution of the Peabody (Mass.) School Board, against the Curtis-Reed bill; to the Committee on Education.

1115. By Mr. DARROW: Memorial of the Philadelphia Board of Trade, opposing the Gooding long and short haul bill; to the Committee on Interstate and Foreign Commerce.

1116. By Mr. FULLER: Petition of Edward L. Burke and others, favoring the enactment of House bill 8132; to the Committee on Pensions.

1117. Also, petition of G. E. Esperson and others, favoring the enactment of House bill 8132; to the Committee on Pensions.

1118. By Mr. GALLIVAN: Petition of Corpl. Gordon E. Denton Post, No. 319, Veterans of Foreign Wars, William V. Shine, adjutant, protesting against the sentence imposed on Colonel Mitchell and the manner in which his trial took place; to the Committee on Military Affairs.

1119. By Mr. GREEN of Iowa: Petition of Dr. E. W. Wiltse, of Modale, Iowa, and others, in opposition to House bills 7179 and 7822, with reference to compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

1120. By Mr. JENKINS: Petition signed by 36 citizens of Athens and Hocking Counties, Ohio, entering their protest against compulsory Sunday observance as provided in House bills 7179 and 7822; to the Committee on the District of Columbia.

1121. Also, petition signed by 155 citizens of Athens County, Ohio, entering their protest against compulsory Sunday observance; to the Committee on the District of Columbia.

1122. By Mr. KETCHAM: Petition of 60 voters of Decatur, Mich., urging the passage of House bill 8132, granting an increase of pension to Spanish War veterans; to the Committee on Pensions.

1123. By Mr. O'CONNELL of New York: Petition of the United Retail Grocers' Association, of Brooklyn, N. Y., opposing the Beck bill (H. R. 5188); to the Committee on Agriculture.

1124. Also, petition of citizens of Brooklyn, N. Y., opposing compulsory Sunday observance bills (H. R. 7179 and 7822) or any other national religious legislation; to the Committee on the District of Columbia.

1125. Also, petition of the General Alumni Association, Howard University, of Washington, D. C., to remove the ground for objection and to provide supervision of the university by the Government through proper representation on the board of trustees; to the Committee on Appropriations.

1126. Also, petition of Ferguson Kinsella, of New York, favoring the passage of the Knutson bill (H. R. 8132), Spanish War pension bill; to the Committee on Pensions.

1127. By Mr. ROBINSON of Iowa: Petition of sundry citizens of Dubuque County, Iowa, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1128. By Mr. SINCLAIR: Petition of Mr. Carl Adamson and 85 others of Kenmare, N. Dak., and vicinity, protesting against the enactment of compulsory Sunday observance legislation; also, Mr. C. K. Rasmussen and 56 others of Kenmare, N. Dak., and vicinity, protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the District of Columbia.

1129. By Mr. SWING: Resolution of Board of Fish and Game Commissioners of the State of California, protesting against the passage of House bill 17; to the Committee on the Merchant Marine and Fisheries.

1130. Also, petition of residents of Chula Vista, Calif., protesting against the passage of bills for the compulsory observance of Sunday for the District of Columbia; to the Committee on the District of Columbia.

1131. Also, petition of the faculty of the University of Redlands, Redlands, Calif., to have section 15 of the present copyright law amended by inserting the words "of mimeographed process" after the words "or photoengraving process," in lines 9, 15, 34, and 41 of said section; to the Committee on Patents.

1132. Also, petition of certain residents of Loma Linda, Calif., protesting against the passage of House bills 7179 and 7822, for compulsory Sunday observance for the District of Columbia; to the Committee on the District of Columbia.

1133. By Mr. TILSON: Petition of Mrs. James E. Farrell, New Haven, Conn., and others against compulsory Sunday observance; to the Committee on the District of Columbia.

1134. By Mr. WILLIAMSON: Petition of electors of Pennington County, S. Dak., opposing any legislation which will modify the present prohibition law; to the Committee on the Judiciary.

SENATE

WEDNESDAY, March 10, 1926

The Senate met in executive session at 12 o'clock meridian. After 2 hours and 17 minutes spent in executive session the doors were reopened.

CONFIRMATION OF CHARLES W. HUNT

In executive session this day, following the confirmation of Charles W. Hunt to be a member of the Federal Trade Commission, on motion of Mr. REED of Missouri and by unanimous consent, the injunction of secrecy was removed from the vote on confirmation.

The vote resulted—yeas 48, nays 20, as follows:

YEAS—48

Bayard	Dale	Jones, Wash.	Ransdell
Bingham	Edge	Lenroot	Sackett
Blease	Edwards	McLean	Schall
Bratton	Ernst	McMaster	Shortridge
Brookhart	Ferris	McNary	Smith
Broussard	George	Mayfield	Smoot
Bruce	Glass	Means	Stanfield
Butler	Goff	Metcalf	Wadsworth
Cameron	Gooding	Oddie	Warren
Capper	Greene	Pepper	Watson
Couzens	Hale	Phipps	Williams
Cummins	Harrell	Pine	Willis

NAYS—20

Borah	Johnson	McKellar	Simmons
Frazier	Jones, N. Mex.	Nye	Stephens
Harris	Kendrick	Reed, Mo.	Trammell
Heflin	King	Sheppard	Walsh
Howell	La Follette	Shipstead	Wheeler

During the call of the roll the following pairs were announced:

Mr. DU PONT for confirmation, Mr. FLETCHER against.

Mr. GILLET for, Mr. DILL against.

Mr. KEYES for, Mr. NEELY against.

Mr. MCKINLEY for, Mr. ASHURST against.

Mr. FESS for, Mr. COPELAND against.

Mr. WELLER for, Mr. SWANSON against.

Mr. UNDERWOOD for, Mr. NORRIS against.

Mr. BROUSSARD announced that his general pair [Mr. MOSES] would vote as he intended to vote and voted "yea."

Mr. FERRIS announced that his general pair [Mr. CURTIS] would vote as he intended to vote and voted "yea."

Mr. BRATTON announced that his general pair [Mr. ROBINSON of Indiana] would vote as he intended to vote and voted "yea."

Mr. BAYARD announced that his general pair [Mr. REED of Pennsylvania] would vote as he intended to vote and voted "yea."

Mr. JONES of New Mexico transferred his pair with Mr. FERNALD to Mr. TYSON and voted "nay."

Mr. JONES of Washington announced that the following Senators were necessarily absent and, if present, would vote "yea": DENEEN, DU PONT, FERNALD, and ROBINSON of Indiana.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that pursuant to the provisions of section 5 of the first deficiency act, approved March 3, 1926, the Speaker had appointed Mr. HADLEY and Mr. GALLIVAN members on the part of the House of the United States Evacuation Day Sesquicentennial Commission.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1343) for the relief of soldiers who were discharged from the Army during the World War because of misrepresentation of age.

The message further announced that the House had passed the bill (S. 1430) to establish a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2673) to amend the act approved June 3, 1896, entitled "An act to establish and provide for the maintenance of a free public library and reading room in the District of Columbia," with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill and a joint resolution of the following titles, in which it requested the concurrence of the Senate:

A bill (H. R. 4505) to authorize the Secretary of War to permit the delivery of water from the Washington Aqueduct pumping station to the Arlington County sanitary district; and

A joint resolution (H. J. Res. 148) extending the time during which cattle which have crossed the boundary line into foreign countries may be returned duty free.

ENROLLED BILL SIGNED

The message also announced that the Speaker of the House had affixed his signature to the enrolled bill (S. 2041) to provide for the widening of First Street, between G Street and Myrtle Street NE., and for other purposes, and it was thereupon signed by the Vice President.

PETITION

Mr. LA FOLLETTE presented a petition numerously signed by sundry citizens in the State of Wisconsin, praying for the passage of Senate bill 98, granting increased pensions to Spanish-American War veterans and their dependents, which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES

Mr. MAYFIELD, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1821) authorizing joint investigations by the United States Geological Survey and the Bureau of Soils of the United States Department of Agriculture to determine the location and extent of potash deposits or occurrence in the United States and improved methods of recovering potash therefrom, reported it with an amendment to strike out the preamble and submitted a report (No. 318) thereon.

Mr. WALSH, from the Committee on Irrigation and Reclamation, to which was referred the bill (S. 856) for the relief of Joseph Mayhew, reported it without amendment and submitted a report (No. 319) thereon.

Mr. SMITH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3108) to amend section 2 of the act of June 7, 1924 (43 Stat. L. p. 653), as amended by the act of March 3, 1925 (43 Stat. L. p. 1127), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor," reported it without amendment and submitted a report (No. 320) thereon.

Mr. FRAZIER, from the Committee on Pensions, to which was referred the bill (S. 1609) to increase the pensions of those who have lost limbs or have been totally disabled in the same, or have become totally blind, in the military or naval service of the United States, reported it with amendments and submitted a report (No. 321) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. WATSON:

A bill (S. 3491) to amend sections 1155 and 1158 of the Code of the District of Columbia; to the Committee on the District of Columbia.

By Mr. HALE:

A bill (S. 3492) granting a pension to Flora Levenseller; to the Committee on Pensions.

By Mr. JONES of Washington (for Mr. McKINLEY):

A bill (S. 3493) granting an increase of pension to Robert O. Thomas; and

A bill (S. 3494) granting an increase of pension to Senie A. Rainey; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3495) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; to the Committee on the District of Columbia.

By Mr. HARRIS:

A bill (S. 3496) extending the time for awarding medals of honor, distinguished-service crosses, and distinguished-service medals, etc.; to the Committee on Military Affairs.

By Mr. STEPHENS:

A bill (S. 3497) granting the consent of Congress to Harry E. Bovay to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Vicksburg, Miss.; to the Committee on Commerce.

By Mr. PHIPPS:

A bill (S. 3498) to promote the development, protection, and utilization of grazing facilities on public lands, to stabilize the range stock raising industry, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. WILLIS:

A bill (S. 3499) granting the consent of Congress to the Gallia County Ohio River Bridge Co. and its successors and assigns to construct a bridge across the Ohio River at or near Gallipolis, Ohio; to the Committee on Commerce.

By Mr. McKELLAR:

A bill (S. 3500) to further amend an act entitled "An act to create a Federal Power Commission; to provide for the improvement of navigation, the development of water power, the use of the public lands in relation thereto; and to repeal section 18 of the river and harbor appropriation act, approved August 8, 1917, and for other purposes," approved June 10, 1920, as amended by the act approved March 3, 1921, by amending the definition of navigable waters contained in the seventh paragraph of section 3 of said act, and by preserving to the several States the exclusive jurisdiction over power developments on nonnavigable waters; to the Committee on Commerce.

By Mr. STANFIELD:

A bill (S. 3501) to reconvey to the State of Oregon all right, title, and interest of the United States in and to Sand Island, near the mouth of the Columbia River, in the State of Oregon, reserving to the United States the right to the perpetual use of the said lands for military purposes; to the Committee on Public Lands and Surveys.

By Mr. McMASTER:

A bill (S. 3502) granting a pension to George C. Widlon; to the Committee on Pensions.

A bill (S. 3503) to authorize the President to sell coal at retail in an emergency; and

A bill (S. 3504) to authorize the President to sell gasoline, fuel oils (including kerosene), and lubricants at retail in an emergency; to the Committee on Interstate Commerce.

CHANGE OF REFERENCE

On motion of Mr. BORAH, it was ordered that the Committee on Foreign Relations be discharged from the further consideration of the bill (S. 1629) for the relief of George Turner, and it was referred to the Committee on Claims.

VALIDATION OF CERTAIN PUBLIC-LAND ENTRIES

Mr. STANFIELD submitted an amendment intended to be proposed by him to the bill (S. 3223) validating certain applications for and entries of public lands, and for other purposes, which was referred to the Committee on Public Lands and Surveys and ordered to be printed.

AMENDMENT TO COMMERCE AND LABOR, ETC., APPROPRIATION BILL

Mr. FLETCHER submitted an amendment proposing to increase the appropriation for establishing and improving aids to navigation and other works from \$484,601 to \$534,601, intended to be proposed by him to House bill 9795, the State, Justice, Commerce, and Labor and the judiciary appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. COPELAND submitted an amendment intended to be proposed by him to House bill 9341, the independent offices appropriation bill, which was ordered to lie on the table and to be printed, as follows:

On page 32, line 16, after the word "claims," add the following:

"Provided further, That no part of the moneys appropriated or made available in this act for the United States Shipping Board Emergency Fleet Corporation shall be used or expended for the construction, purchase, acquirement, repair, or reconditioning of any vessel or part thereof or the machinery or equipment for such vessel from or by any private contractor, that at the time of the proposed construction, purchase, acquirement, repair, or reconditioning can be constructed, purchased, repaired, or reconditioned when time and facilities permit in each or any of the navy yards or arsenals of the United States at an actual expenditure of a sum less than that for which it can be constructed, purchased, acquired, repaired, or reconditioned otherwise."

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by title and referred as indicated below:

H. R. 4505. An act to authorize the Secretary of War to permit the delivery of water from the Washington Aqueduct pumping station to the Arlington County sanitary district; to the Committee on the District of Columbia.

H. J. Res. 148. Joint resolution extending the time during which cattle which have crossed the boundary line into foreign countries may be returned duty free; to the Committee on Finance.

LONG-AND-SHORT-HAUL CLAUSE OF THE INTERSTATE COMMERCE ACT

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, Senate bill 575.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 575) to amend section 4 of the interstate commerce act.

Mr. GOODING. I ask unanimous consent that the unfinished business may be temporarily laid aside.

Mr. BRUCE. I will ask the Senator to wait for one moment. I object to his request merely for one moment.

The VICE PRESIDENT. The Senator from Maryland.

THE PROHIBITION LAW

Mr. BRUCE. If the Senator will defer to me merely for a moment, I may withdraw my objection to his request.

Mr. President, if there is no objection, I should like to have read into the CONGRESSIONAL RECORD a statement showing the results of the recent prohibition poll taken by the Hearst newspapers throughout the United States up to a late hour last night.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Chief Clerk proceeded to read the newspaper article.

Mr. BRUCE. Mr. President, I know the Chair is doing the best he can, but I ask that order may be preserved in the Chamber.

The VICE PRESIDENT. The Senate will be in order.

Mr. BRUCE. I ask that whatever measures may be necessary to be taken to preserve order may be taken, because I think that the result of the vote which is about to be announced will have a very salutary effect upon the minds of Members of this body.

The Chief Clerk resumed and concluded the reading of the article, which is entire, as follows:

[From the Washington Herald, March 10, 1926]

PROHIBITION BALLOT

1. Are you in favor of the existing prohibition law?.....YES ☐
NO ☐
2. Are you in favor of modification of the Volstead Act to permit the manufacture and sale of beer and light wines?.....YES ☐
NO ☐

(Register your opinion by marking plainly in the little square after each one of the questions an X.)

Name.....
Address.....

After voting clip your ballot and mail it to the prohibition ballot editor, The Washington Herald, 1317 H Street NW.

Each voter's name will be held in strict confidence. Each name will be checked for its validity.

No one may vote more than once.

LATEST RESULTS IN POLL ON PROHIBITION LAW

The following are the results of the prohibition poll being taken by the Hearst newspapers throughout the country up to a late hour last night:

	Existing law		Wine and beer	
	For	Against	For	Against
Washington	236	2,884	2,988	184
Baltimore	104	1,081	1,101	94
New York	450	23,949	23,611	256
Boston	3	57	71	2
Rochester	71	1,564	62	1,564
Syracuse	543	3,764	3,990	521
Detroit	370	2,388	7,288	682
Chicago	1,153	10,317	14,315	538
Milwaukee	3,968	21,753	21,753	3,968
Seattle	298	16,226	3,629	491
San Francisco	80	1,903	1,995	63
Oakland	2	65	72	2
Los Angeles	90	1,998	2,035	79
Albuquerque	1,156	1,856	1,700	1,043
Denver	20,756	79,700	83,356	18,999
Atlanta	65	887	906	43
Reno	21	451	455	33
Arizona	1,113	1,781	1,781	1,113
Total	30,479	161,183	171,108	29,675

RUM BALLOTS PASS TOTAL OF 200,000

A total of 200,783 votes were recorded up to to-day in the Hearst newspapers' nation-wide prohibition poll.

The vote for modification, permitting the manufacture and sale of light wine and beer, continues to outstrip, many fold, the vote for the continuance of a bone-dry law.

The balloting gave 171,108 votes for modification. A total of 29,675 voted against wine and beer. Those in sympathy with the Volstead Act number 30,479 to date. Recorded against the present law are 161,183, approximately 10,000 less than those favoring beer and wine.

The poll indicates interest is growing daily. Each day sees almost a doubling of the vote of the day before.

The Washington Herald's poll for the District of Columbia and near-by Maryland and Virginia totals to date:

For existing law, 236; against existing law, 2,884.

For beer and wine, 2,988; against beer and wine, 184.

Heavy voting is reported in New York and Chicago areas, Baltimore and Detroit. Several new districts are added to the poll this morning. Reno, Nev., registered a comparatively large vote against prohibition and for light wines and beer. Arizona gave prohibition 1,113 votes and 1,781 votes to wine and beer.

Mr. BRUCE. Mr. President, I simply desire to add that on yesterday the Senator from Arizona [Mr. ASHURST] said that if I wished to ascertain the sentiment of the people of the United States in relation to prohibition all I had to do was to be a candidate for the United States Senate in any one of 43 States. I wish to say it looks to me, from the result of the poll which I have just brought to the attention of the Senate, that if I were a candidate for the United States Senate in 43 States of the Union I would be elected to the Senate from every one of them.

Mr. WILLIS. Mr. President, I expressed yesterday my dissent from the program of my friend from Maryland, believing as I do that the CONGRESSIONAL RECORD ought not to be made the medium of the dissemination of editorials and back-door temporary election returns, and so forth, but I said then that if the Senator desires each morning that we shall be regaled with information of that kind, I am perfectly ready to meet him.

Mr. BRUCE. Mr. President—

Mr. WILLIS. Just a moment. I wish to remind the Senator that the people of the United States have not yet commenced to vote upon this question. The Senator labors under the impression that when he gets some votes from Baltimore City, which does not believe in the Volstead law and incidentally has no enforcement act, and New York City and Chicago, which the Senate has just recently been asked to investigate and straighten up, and Reno, Nev., and a few other metropolises of the country—that when he has heard from those he has heard from the people. There will be other returns to be printed from time to time, but meanwhile, in conformity with the Senator's idea that we should have such material in the Record, I ask unanimous consent—

Mr. BRUCE. Mr. President, may I interrupt the Senator?

Mr. WILLIS. I yield to the Senator from Maryland.

Mr. BRUCE. Just for one moment. I simply want to say that it is no part of my intention to have anything read into the Record but polls taken throughout the country showing the existing state of public sentiment regarding this matter. I quite agree with the Senator from Ohio in thinking that it is not proper that the CONGRESSIONAL RECORD should be cluttered up merely with cumulative evidence in relation to public opinion on this subject.

Mr. WILLIS. Then, Mr. President, when the returns indicate a different situation I shall expect my friend from Maryland, with religious devotion, to arise every morning and insist that the result of the polls shall be printed. Meanwhile I ask unanimous consent to have inserted in the Record, so that they may appear with this statement two editorials. I have several hundred others, but at present I merely ask for the printing in the Record of an editorial from the National Spectator, under date of February 27 of this year, and also an editorial from the Hamilton Daily News, of Hamilton, Ohio, under date of February 12, entitled "Lincoln the prohibitionist." I ask that those two articles may be printed in the Record.

Mr. SMOOT. Mr. President—

Mr. REED of Missouri. Mr. President, before I give my consent I wish to know whether the editorial from the Hamilton (Ohio) newspaper undertakes to demonstrate that Lincoln was a prohibitionist.

Mr. WILLIS. If the Senator will permit the article to appear in the Record, he will have an opportunity to read it and then can draw his own conclusions.

Mr. REED of Missouri. I am going to object until I know whether or not it is that kind of an article. I do not want history falsified to that extent.

Mr. WILLIS. Then I suggest that the article be read, so that the Senator may judge now.

The VICE PRESIDENT. Objection being made—

Mr. REED of Missouri. The Senator might read it, and then we can discuss it.

Mr. SMOOT. Does the Senator object?

Mr. REED of Missouri. I am going to object if that is the character of article that is going in here.

Mr. WILLIS. Then I change my request, Mr. President. I ask unanimous consent that the article touching Lincoln be read from the desk, so that the Senator may know whether or not he wants to object.

Mr. REED of Missouri. I am going to object to that equally.

Mr. WILLIS. Then let me have it. I will read it.

Mr. REED of Missouri. Now we will have a chance to discuss it.

Mr. WILLIS. Does the Senator withdraw his objection?

Mr. REED of Missouri. Oh, no. Go ahead and read it. I want to hear it.

The VICE PRESIDENT. Under the rule the request will be submitted to the Senate for a vote as to whether the article shall be read.

Mr. REED of Missouri. Oh, no, Mr. President; nobody has made that motion yet.

Mr. SMOOT. Nobody made the motion, Mr. President.

The VICE PRESIDENT. The rule provides—

Mr. SMOOT. The Senator can read it into the RECORD; but let me make a suggestion, Mr. President.

I used to take a good deal of pride in keeping the RECORD free, so far as the Senate is concerned, from anything outside of just what was said in this body by Senators. I long ago gave that up; but I simply wish to submit this consideration from another standpoint:

Every page that is printed in the RECORD costs about \$48, outside of the cost of transportation throughout the United States of the mail itself. I think Senators ought to begin to recognize that if we are going to fill the RECORD, page after page, day after day, with extraneous matter, they are simply taking that much money out of the Treasury of the United States.

The VICE PRESIDENT. The Chair will read Rule XI:

When the reading of a paper is called for, and objected to, it shall be determined by a vote of the Senate, without debate.

The question is—

Mr. REED of Missouri. That means that a motion shall be made, of course. I do not care about it except as a matter of future procedure. The procedure always has been that if a Senator asks to have a paper read, and it is objected to, and he then moves that it be read, it is determined without debate. No motion has been made.

The VICE PRESIDENT. The practice is to put the question without a motion under this rule.

Mr. REED of Missouri. I think not; but I am not going to stand here and take time caviling about it. It has not been the procedure. I never heard it suggested before in the Senate.

Mr. WILLIS. I am perfectly willing to let the Senate vote on it; or, if I can make a statement on the subject, that might clear the atmosphere.

Mr. BLEASE. Mr. President, I suggest that the Senator withdraw his request and read it anyhow.

Mr. WILLIS. Particularly in view of the statement made by the Senator from Utah [Mr. Smoot], I desire to call his attention to one suggestion.

When this matter was brought up yesterday I took exactly the position which the Senator now takes. I think the CONGRESSIONAL RECORD ought to be a record of the proceedings of the Senate and the House; but when Senators proposed to inject here material of an entirely different nature for propaganda purposes, I served notice then that if it were to be continued there were others who could play at that game. Evidently it is proposed to continue it, so I am perfectly willing to play the game.

Mr. BRUCE. Mr. President—

Mr. WILLIS. I yield to the Senator from Maryland.

Mr. BRUCE. I simply wish to say that the Senator from Utah should not lose sight of the fact that the tendency of correct information on this subject is to save the United States Government the expenditure of \$25,000,000 a year, for that is the amount that it is expending at the present time in its vain and futile effort to enforce prohibition.

The VICE PRESIDENT. The Chair will insist upon compliance with Rule XI unless overruled.

Mr. HEFLIN. I call for the regular order.

The VICE PRESIDENT. The rule reads:

When the reading of a paper is called for and objected to, it shall be determined by a vote of the Senate without debate.

All in favor of the reading of this paper will say "Aye." [A pause.] Those opposed will say "No." [A pause.] The ayes have it.

Mr. ASHURST. Mr. President, the Senator from Maryland complains of a lack of perspicacity on the part of some Members of the Senate, but he is employing his perspicacity and his great ability to foist upon the people and to rehabilitate the worst curse that ever afflicted the people—intoxicating liquors.

Mr. REED of Missouri obtained the floor.

Mr. WATSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Indiana will state his parliamentary inquiry.

Mr. WATSON. My understanding is that when the Senator from Ohio asked permission to insert an article in the RECORD the Senator from Missouri objected. That one objection kept it out. Then the Senator from Ohio asked permission to read the article. Under Rule XI, whether or not he shall read it is determined by a vote, and not whether or not it shall be inserted.

The VICE PRESIDENT. The Senator is correct.

Mr. WATSON. The Senate voted that he should be permitted to read the article, and now I insist on having it read.

Mr. SMOOT. It will have to be read, Mr. President, or it will not go into the RECORD.

Mr. WATSON. It can not go into the RECORD if it is not read.

The VICE PRESIDENT. The Senator is correct. The Senator will read the article.

Mr. WILLIS. Very well.

Mr. President, the title of this article is "Lincoln the prohibitionist." This article is from the Hamilton Daily News, Hamilton, Ohio, under date of February 12. It is as follows:

Mr. WILLIS proceeded to read the article, and was interrupted by—

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. WILLIS. I yield to the Senator.

Mr. WADSWORTH. I ask unanimous consent that the Senator from Ohio be excused from reading this article.

The VICE PRESIDENT. Is there objection?

Mr. REED of Missouri. I object.

The VICE PRESIDENT. The Senator will proceed.

Mr. WILLIS resumed the reading of the article.

Mr. WADSWORTH. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. WADSWORTH. Under Rule XI this article should be read, not by the Senator from Ohio, but by the Clerk of the Senate.

The VICE PRESIDENT. The Chair rules that the point is well taken.

Mr. HEFLIN. No doubt the Senator from Ohio thanks the Senator from New York for making the point of order.

Mr. WADSWORTH. The Senator from New York could not hear the Senator from Ohio, and he wanted to know what the article contained. [Laughter.]

The VICE PRESIDENT. The Clerk will read.

The Chief Clerk resumed and concluded the reading of the article, which is entire as follows:

[From the Hamilton Daily News, Hamilton, Ohio, Friday, February 12, 1926]

LINCOLN, THE PROHIBITIONIST

(An interesting treatise by O. T. Corson, of Oxford, on the attitude of martyred President toward intoxicating liquor)

It seems to be the pleasing pastime of some individuals seeking political preferment at the present time to state precisely what the great men of the past would say and do were they alive to-day—a species of political propaganda in which it is perfectly safe to indulge, since there is no possibility that the dead will ever question any of the statements of the living.

As the result of such propaganda we are informed or perhaps misinformed as to the stand Washington, Jefferson, Lincoln, Jackson, and others would certainly take relative to the League of Nations, World Court, and other questions which are attracting public attention at present, the one striking and amusing feature being that the views, which it is declared these men would hold were they alive to-day, invariably coincide with the opinions and desires of those who presume to know the unknowable.

In the past, propaganda which was a libel on the dead has occasionally been circulated. It will be recalled that 10 years or more ago, in one of our State campaigns for prohibition, there was bulletined all over Ohio statements which were falsely represented as being quotations from speeches made by Abraham Lincoln in opposition to prohibition and at least indirectly favoring the use of intoxicating liquors as a beverage.

LINCOLN'S RECORD

Everyone acquainted with Lincoln's record on the temperance question, in both theory and practice, knew then that the statements attributed to him were maliciously false. Since then an individual, unworthy of being called a man, has confessed that he was the author of the libel which was invented for use in a southern city campaign for prohibition with the purpose of influencing the colored people, whom it was intended to deceive into believing that the emancipator

of their race was opposed to prohibition and in favor of the use of liquor.

Fortunately, both for the cause of prohibition as well as for the honor of Lincoln, we are not left in any doubt as to his real views on the temperance question, including prohibition of the liquor traffic.

STAND IN 1842

Eighty-four years ago, February 12, 1842, Lincoln made his historic address before the Washington Society, of Springfield, Ill., on Charity in Temperance Reform, in which he took a stand for temperance far in advance of his day and at the same time gave evidence of that feeling of pity and charity for the victims of intemperance, which characterized him in all his dealings with the evils of slavery. In that address he said:

"Whether or not the world would be vastly benefited by a total and final banishment from it of all intoxicating drinks seems to me not now an open question. Three-fourths of mankind confess the affirmative with their tongues, and I believe all the rest acknowledge it in their hearts.

JUSTLY PROUD OF '76

"Of our political revolution of '76 we are all justly proud. It has given us a degree of political freedom far exceeding that of any other nation of the earth. In it the world has found a solution of the long-mooted problem of the capability of man to govern himself. In it was the germ which has vegetated and still is to grow and expand into the universal liberty of mankind. But, with all these glorious results, past, present, and to come, it had its evils too. It breathed forth famine, swam in blood, and rode in fire; and long, long after, the orphan's cry and the widow's wail continued to break the sad silence that ensued. These were the price, the inevitable price, paid for the blessings it brought.

A VILE SLAVERY

"Turn now to the temperance revolution. In it we shall find a stronger bondage broken, a viler slavery unumitted, a greater tyrant deposed; in it, more of want supplied, more disease healed, more sorrow assuaged. By it no orphans starving, no widows weeping. By it none wounded in feeling, none injured in interest; even the dram maker and the dramseller will have glided into other occupations so gradually as never to have felt the change, and will join all others in the universal song of gladness."

To all who want to know the truth, the beneficial results of prohibition are everywhere plainly evident. The dire effects of its adoption into our National Constitution and consequent enactment into law, prophesied by those who were opposed to it, that it would ruin business, that storerooms would be standing idle and thousands of men would be thrown out of employment, have never appeared.

LINCOLN'S WISDOM

On the other hand, Lincoln's vision has been fully realized wherever an honest effort has been made to enforce the law. There are "no orphans starving, no widows weeping"—a common condition in the days of the open saloon. It is literally true that there are none injured in interest, and that wherever those who were engaged in the liquor business have sought reputable means of support, they have "glided into other occupations so gradually as never to have felt the change."

A little more than a decade ago it was my privilege to confer several different times with the late Maj. J. B. Merwin, who sustained a most confidential relation to President Lincoln during the war. He was with him the afternoon of the day on which he was assassinated and reported him as saying:

"Merwin, we have cleaned up, with the help of the people, a colossal job. Slavery is abolished. After reconstruction, the next great question will be the overthrow and abolition of the liquor traffic"—and you know Major Merwin had known Lincoln intimately since 1852—"Merwin, my head and my heart and my hand and my purse will go into that work.

SAW END OF DRINKING

"In 1842, less than a quarter of a century ago, I predicted, under the influence of God's spirit, that the time would come when there would be neither a slave nor a drunkard in the land. I have lived to see, thank God, one of these prophecies fulfilled. I hope to see the other realized."

Major Merwin was so deeply impressed with the important significance of the statements made by Lincoln that he said to him, "Shall I publish this as coming from you?" He instantly replied:

"Yes; publish it as wide as the daylight shines."

INIQUITY OF TRAFFIC

Not only did Lincoln believe that the world would be greatly benefited by a total and final banishment of all intoxicating drinks, and not only had he declared on the day of his death what his fixed purpose with reference to the liquor traffic would have been had his life been spared, but he also freely gave expression to his positive views relative to the iniquity which always results from legalizing the traffic by levying a tax on the business or by licensing it with the purpose

of securing financial aid for the Government. His convictions on the question were reported by Major Merwin:

"He hesitated in regard to signing that document, the internal revenue act, which was passed in time of the Civil War to tax the liquor business to secure money to help defray the expenses of the war. Mr. Chase, the Secretary of the Treasury, said to him:

"Mr. Lincoln, we must have the resources of evil as well as good to end this rebellion."

"Still the President hesitated and again his Secretary urged that the Nation 'can not stand it any longer,' and must have the money.

"Finally Lincoln signed the revenue act, remarking as he did so:

"I had rather lose my right hand than sign a document that shall perpetuate the liquor traffic, but as soon as the exigencies pass away I will turn my whole attention to the repeal of that document."

There can not, therefore, be any doubt as to Lincoln's views on temperance and prohibition when he was living, or as to what he would do were he alive to-day. He would certainly be enrolled in the ranks of those who are unalterably opposed to the liquor traffic because of its history, which is an unbroken record of misery and crime. It never did a decent deed nor performed a kindly act.

A FALSE PRETENSE

When under the false pretense of a desire to help pay the expenses of Government and thereby reduce the burden of taxation, it has been ready to pay large sums of money into the public treasury, its real purpose has always been to purchase immunity from prosecution for its violation of law in the transaction of its business which has always cost far more in the necessity of caring for the poverty and crime resulting therefrom than the contributions made to the Treasury. If at times it has made pretensions of charity by sending a sack of flour or a load of coal to a poverty-stricken home, the small gifts have represented only a pitifully insignificant value in comparison with the amount paid for the beer and whisky which had produced the poverty.

FIRST REBELLION

The first serious trouble this Nation had came in the first term of Washington's administration and is known in history as the "whisky rebellion." The liquor traffic has been in rebellion ever since. It never obeyed a law except upon compulsion. To-day it is doing everything in its power to nullify the law passed in obedience to a constitutional provision ratified by all the States of the Union save two.

Abraham Lincoln knew that only good could result from the total abolition of intoxicating liquors and that just as certainly only harm could follow from legalizing in any way the liquor traffic. Away back in 1842 he had a clear vision of his duty to the Nation. And he had the courage of his convictions to express what he believed. To-day all thinking people who are not in some way directly or indirectly interested in the manufacture, sale, or use of intoxicating liquors know that Lincoln was right. If all such people will only follow his example and courageously stand for what they know is right, all attempts to defy the law by insolent disobedience to its provisions or to nullify it by bringing back the curse of wine and beer are certain to fail. United and active, the law-abiding people of the Nation are in an overwhelming majority.

The only hope of a return to power by the liquor interests is in the lack of unity or in the inactivity of the people who at heart revere the Constitution and the laws of the land but who are either too cowardly or too indifferent to stand by their convictions.

The Chief Clerk also read as follows:

[From the National Spectator, February 27, 1926]

PROHIBITION

At the beginning of the present century the Rev. Henry C. Potter, Episcopal Bishop of the Diocese of New York, realizing that the saloon as then run under the liquor laws of the country was a blot upon civilization, courageously opened a saloon in the city of New York and undertook to run it on decent lines. In the saloon opened by Bishop Potter liquor was sold, but it was not sold to drunken men. The place was clean. Evil language was not permitted. No man under the influence of liquor was allowed in the place. It was a great experiment in an attempt to bring the saloon up to a plane of decency where it could be tolerated.

The experiment failed. For a time the saloon was visited by the curious, but the very decency of it drove drinking folk away. After being run for a while, always, we believe, at a loss, the place was abandoned. It is a queer thing that a quarter of a century later the Church Temperance Society of the Episcopal Church should vociferously proclaim prohibition to be a failure. If prohibition has accomplished nothing except to abolish the saloon, it has been a vast success.

We have reached the stage of wild statements in the discussion of prohibition. One group declares that there is more drinking now than there was when the saloon was with us. If there is more drinking now, then the ordinary citizen, going about his lawful errands in his clubs, in hotels, in trains, to and from his office, does not see it.

The ordinary citizen can remember when the lounging room of his club in the city was constantly disturbed by drunken men, when his country club was a riot of drinking, when the bar of his favorite hotel was filled every afternoon and evening with a mob of more or less drunken men, and when a trip in the club car of a railroad train was a nightmare. The ordinary citizen, given to looking at things calmly, fails to see where there is more drinking, or anywhere near as much drinking, as there was under the saloon.

Another group claims that there is no violation of the law at all. That also is a wild statement. There is violation of the law, plenty of it, just as there is violation of the law against stealing. We never have known a law that was not at times violated. Observation leads to the conclusion that the law is being violated largely by restless well-to-do folk and by the young, to whom the bootleggers are peddling their poison because they find a failing market among grown people.

Neither one of these extreme groups will settle the matter. Prohibition problems will be settled, when it is necessary to settle them, by the great mass of thinking people who are now merely listeners. These quiet people were putting prohibition into effect in the States long before the eighteenth amendment to the Constitution was adopted. In 21 States prohibition was made effective by popular vote before the amendment. This country would have gone prohibition almost completely without an amendment to the Constitution. If the law falls in any respect, the same thoughtful people will see that it is corrected. The extremists will have but little to do with the matter, because the extremists on both sides are hopelessly in the minority. If all of the members of the Episcopal Church were to turn against prohibition—which they will not—they would be in a hopeless minority, because there are only a few more than a million of them, while there are more than 7,000,000 Methodists alone in the country, to say nothing of 8,000,000 Baptists and two and a quarter million Presbyterians, none of whom have as yet shown any signs of turning against prohibition. Minorities sometimes make a lot of noise, but they do not make many laws nor amend many.

Mr. REED of Missouri. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. REED of Missouri. What is the question now before the Senate?

The VICE PRESIDENT. The unfinished business, Senate bill 575, is before the Senate.

Mr. REED of Missouri. In view of the statement just made by the Senator from Ohio, and the editorial which has just been read, I want to call attention to an article of news from his own State, printed on Tuesday, March 9, in the Daily Times Star, of Cincinnati, Ohio. It is headed:

Donahy denounces methods used by Propst in dry raids—Orders dismissal of deputy commissioner, but latter resigns—Governor classes "frame up" as "revolting" and "criminal."

I am reading it as an illustration, not of the good or evil of strong drink but as showing what is going on in this country under the American flag.

Mr. WILLIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. REED of Missouri. I trust the Senator will not interrupt the reading.

Mr. WILLIS. I shall not interrupt the reading. I simply desire to say to the Senator, if he will permit me, that I want him to assume full responsibility for what he is going to read, because the difficulty about which he proposes to read is entirely a Democratic fuss, in which I have no part at all. It refers to a Democratic governor and a Democratic appointee. So I assume no responsibility for any of it, even for the reading.

Mr. REED of Missouri. I am sure that if it has had this corrupting influence in the Democratic Party, nobody could measure the extent of the evil under a Republican administration. [Laughter.]

The article is as follows:

DONAHY DENOUNCES METHODS USED BY PROPST IN DRY RAIDS—ORDERS DISMISSAL OF DEPUTY COMMISSIONER, BUT LATTER RESIGNS—GOVERNOR CLASSES "FRAME UP" AS "REVOLTING" AND "CRIMINAL"

COLUMBUS, OHIO, March 8 (Associated Press).—Governor Donahy's investigation of the State prohibition department's enforcement methods had the following results:

Demand for the dismissal of 3. A. Propst, deputy prohibition commissioner.

Submission by Propst of his resignation, effective March 23.

Demand for dismissal or suspension of Prohibition Inspectors Carl Selzer, J. B. Coulter, and Fred C. Curtiss.

Denouncement of the hiring of women to lure men into dry law violation as "moral crimes of reprehensible character."

Condemnation of "such high-handed tactics" as the shooting at automobiles occupied by innocent persons on the highways.

Orders that no homes shall be invaded by prohibition agents except after "most careful inquiry, and then not except upon abundant corroborating evidence of law violation therein."

Orders that the prohibition department confine its activities mainly to apprehension and prosecution of manufacturers and transporters of liquor for sale and bootlegging rings.

Instruction that inspectors work with local authorities to see that local officials are doing their duty and report to the prohibition department dereliction of duty by the local officials.

Expression of confidence in the integrity of Prohibition Commissioner B. F. McDonald and his efforts honestly to enforce the prohibition laws.

Orders that this motto be placed on the walls of the prohibition department so every person connected with the department may read it: "Respect for law is in exact proportion to its honest enforcement."

GOVERNOR'S FINDINGS

The findings follow:

"The incident which provoked the investigation was the alleged frame up or entrapment of Harry N. Nutt, marshal of Westerville, the night of February 4, 1926. Mr. Nutt claimed Deputy Commissioner Propst and City Manager L. G. Whitney, of Westerville, attempted to entrap him in a liquor law violation by employing as a decoy a Columbus woman of questionable morals. The woman in the case disappeared before an investigation began, and her testimony could not be obtained. We have, however, the testimony of Mr. Propst, Constable Meredith Brate, and State Inspectors Carl Selzer and J. B. Coulter, all of whom participated in the raid upon the quarters occupied by Mr. Nutt and the woman.

SORDID AND REVOLTING

"The testimony shows conclusively that, at the direction of Deputy Commissioner Propst, an attempt was made to entrap Mr. Nutt through the lure of a woman, whose reported conversation and overtures in planning the arrangements were sordid and revolting. The frame-up was not successful, in that the marshal failed to supply the woman with intoxicating liquor, and consequently charges were not filed against the marshal. Another woman, a friend and associate of the decoy in question, accompanied the State inspector to Westerville in the prohibition department automobile. Her testimony was not available, because she also disappeared after having been arrested by the city police of Columbus.

"We need not resort to frame-ups in the enforcement of prohibition. We do not desire in the State department officers who, in the name of the State, stoop to add the allurements or enticement of sex to a planned entrapment for a liquor law violation, such as the sale or giving away of a small quantity of liquor. Such methods in themselves are moral crimes of reprehensible character. The spectacle of State enforcement officers driving about in the night season, or even by day, with immoral women, also employed by the State, is revolting.

SHOOTING CASE REVIEWED

"The Springfield case:

"Complaint was made that in the middle of the night of August 14, 1925, Deputy Commissioner Propst and several State inspectors, driving in a high-powered State-owned automobile, brought a runabout to a standstill by piercing a rear tire with bullets. The runabout was occupied by Harold F. Jackson, his wife, and baby, of Springfield, who were returning to their home after a visit in the country.

"This incident was investigated carefully by Adj. Gen. Frank D. Henderson and Capt. George W. Toolil, of the judge advocate's department of the Ohio National Guard. We have the statements or affidavits of all the witnesses of the affair, the State inspectors as well as the victims.

"There is no essential conflict in the evidence, which shows that Mr. Propst and State Inspector Fred C. Curtiss fired several shots, flattening a tire, to compel the frightened driver to stop. The machine was searched and only vegetables instead of liquor found. The lives of an innocent man, woman, and child were endangered and property destroyed at the mere whim or suspicion that the machine might contain intoxicating liquor. No effort was made to right the wrong. The terrorized family was left stranded on a country road at night as the enforcement officers continued on their way. That such high-handed tactics could happen in America is almost unthinkable, and yet the evidence is unmistakable.

"The London case:

ACTIONS INDEFENSIBLE

"I am sure you will agree with me that the actions of Deputy Commissioner Propst, in connection with several of the incidents, are not only unjustifiable but indefensible. I appreciate that he had been well intentioned and energetic in his work, but in his eagerness to enforce the prohibition laws he tramples on the rights of innocent people and resorts to means that can not in good conscience be defended.

SHAMEFUL EPISODES

"It is my recommendation that Mr. Propst be dismissed; also that Inspectors Selzer and Coulter, who participated in the Westerville affair, and Inspector Curtiss, who took part in the tire-shooting incident at Springfield, be either dismissed or suspended for a period, as your judgment may dictate. They were engaged in shameful episodes, and the good of the service demands that they be at least disciplined.

"Prohibition is the law of the land and the law of Ohio. The Crabbe Act and subsequent supplementary laws against the liquor traffic are the most drastic and stringent on our statute books. I realize you have a most difficult task, perhaps the most difficult of any State official, and I want you to know that I have every confidence in your integrity and your efforts to enforce honestly the law. You have my fullest cooperation and sincere support.

"It should be borne in mind that in its last analysis the enforcement of all law is in the hands of loyal officers. The State of Ohio has a population of more than 6,000,000. Each county, city, village, and township has its sheriffs, police, and other law-enforcement officials. The State prohibition department has only 20 regular inspectors. They could not keep the average county dry if they devoted all their time to police duty. The law terms them 'inspectors,' and the intent of the law clearly is that they should inspect local enforcement and assist local officials in enforcement.

LARGER GAME URGED

"In the exercise of their police power they should devote their efforts largely to manufacturers and transporters of liquor for sale and to the breaking up of bootlegging rings. I learn that two inspectors of your department in the last year seized 105 stills, 1 being a 600-gallon still, the largest ever taken in the State.

"In their capacity as inspectors your men should report to you local officials who fail or refuse to enforce the prohibition law. This law must be enforced as well as any other law, whether it be in city, village, or rural district. The prohibition law gives the governor authority to remove officials who fail or refuse to enforce it. So long as I am governor I will do my full duty in this respect. I stand ready now and in the future, as I have in the past, to hear and pass on any cases of official dereliction which you may submit to me. The enforcement of prohibition is unpopular with those who are not in sympathy with the law, but that must not swerve us from doing our full and sworn duty under the law as it exists. However, our enforcement must be honest, fair, and respectable.

"In conclusion, I want to instruct you to have printed and placed on the wall of your office, so all your men may read it, a placard bearing these words:

"Respect for law is in exact proportion to its honest enforcement."

Mr. President, it seems to me that is a very temperate and very fair statement by the Governor of Ohio.

Mr. WILLIS. Mr. President, will the Senator yield just there in fairness?

Mr. REED of Missouri. I yield.

Mr. WILLIS. I think the Senator is probably not aware of the facts. I do not desire to take advantage of an occasion of this kind for any partisan matter, but having called to the attention of the Senate that this is a Democratic governor and these are Democratic people, I wish to add that the Governor of Ohio has, since this article appeared, investigated the matter, and I am advised this morning that the officer guilty of this reprehensible conduct has either been removed by the governor or has been practically compelled to resign.

Mr. REED of Missouri. That fact is contained in the article. I was not reading, evidently, with as fine modulation as the Senator employs, or he would have understood that it was in the article.

Mr. WILLIS. I did not hear it.

Mr. REED of Missouri. I read it. I started to say, Mr. President, that this seems to be a very fair, dispassionate statement by the Governor of the State of Ohio. The Senator said and repeats that the governor is a Democrat, but does the Senator object to anything the governor has said?

Mr. WILLIS. I did not read his article carefully. So far as I observed, it is all right.

Mr. REED of Missouri. I was reading it for the particular benefit of the Senator.

Mr. WILLIS. I know the Senator was doing so.

Mr. REED of Missouri. I am sorry the Senator from Ohio did not hear it. The only point I want to emphasize is this: Occurrences similar to this which have been officially investigated in Ohio are of daily happening in the United States. Regardless of the opinions we may have for or against liquor, for or against its sale, I think there ought to be no difference of opinion in this body that in so far as the Federal Government has jurisdiction over enforcement, it ought to see to it that crimes similar to those which have been described in this

article, for they are crimes, shall not be perpetrated under the agency of the Federal Government.

We have had some evidence already produced before us of almost identical practices by prohibition officers in the city of Washington. In one case it appeared that one of these enterprising gentlemen also had a woman employed, and that they had wine at one of the hotels. I will not say "wine," but intoxicating liquors, for I want to be accurate. It appeared that it was a perfect scheme of entrapment which went beyond the borders even that the law permits and it became the promotion of a crime, not the detection of a crime.

I have no purpose here to-day to inject into our deliberations the question of prohibition or antiprohibition, but I do want to say as a citizen of the United States and as a Member of this body that, regardless of the right or wrong of the prohibition law, scoundrels ought not to be in the public service enforcing this law or any other law, and that respect for the rights of citizens under the Constitution ought to be maintained and upheld; that a man and his wife and his child ought to be safe proceeding along the highways of the country, at least, from murderous assaults of men who wear a badge of office and who have sworn to protect the rights of the people under the constitution of the State where they reside and under the Constitution of the United States.

If this were an isolated case, I would not call attention to it; but it is a matter of almost daily occurrence in various parts of the country. I say to those who are the advocates of the prohibitory law that if I were of their faith, if I believed as they believe, if I wanted the law to succeed and to obtain that degree of reverence and respect that every law must possess if it is successful, I would join in every effort to see to it that enforcement officers should be honest men and that they should enforce the law with due regard to the constitutional rights of the citizens of the United States.

BIG SANDY RIVER BRIDGE, KENTUCKY-WEST VIRGINIA

Mr. BINGHAM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5043) granting the consent of Congress to the Midland & Atlantic Bridge Corporation, a corporation, to construct, maintain, and operate a bridge across the Big Sandy River between the city of Catlettsburg, Ky., and a point opposite in the city of Kenova, in the State of West Virginia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, and 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "at any time after 15 years after completion of such bridge."

W. L. JONES,
JAMES COUZENS,
HIRAM BINGHAM,
DUNCAN U. FLETCHER,
MORRIS SHEPPARD,

Managers on the part of the Senate.

E. E. DENISON,
O. B. BURTNESS,
TILMAN B. PARKS,

Managers on the part of the House.

The Senate, by unanimous consent, proceeded to consider the report.

Mr. KING. Mr. President, will the Senator explain the matter that is before us?

Mr. BINGHAM. The conference report which is before us is on the bill providing for the Big Sandy River bridge which was passed by the Senate some time ago as a test bill. It contains new provisions regarding toll bridges which were recommended by the Committee on Commerce and which for the first time will protect the public against the gaining of an indefinite monopoly over these valuable toll bridges, made valuable by the enormous amounts of money spent by States and the Federal Government on their roads, and gives the States distinct rights to condemn the bridge at any time in accordance with the State law. Heretofore they have held that on account of it being a Federal transaction the bridge could not be condemned. The House receded from its disagreement on one unimportant

amendment with an amendment, and agreed with the Senate on all important amendments.

Mr. REED of Missouri. What is the unimportant amendment?

Mr. BINGHAM. I will ask the clerk to read it.

The Chief Clerk read as follows:

That the House recede from its disagreement to amendment No. 5 and agree to the same with an amendment as follows: "At any time after 15 years after the completion of such bridge."

Mr. KING. I would like to ask the Senator from Connecticut whether it has been the policy of the Congress to legalize toll bridges over streams which the Federal Government assumes the right to regulate?

Mr. BINGHAM. I will say to the Senator that it has been the policy of Congress for a great many years, under the general bridge act, to give the right to private parties to construct toll bridges. There never has been heretofore any limitation. The Senator will remember that there have been any number of bridge bills passed in the usual form. The Senator, I think, was ill when the Committee on Commerce made the report in regard to a new bridge policy. The Senator from Virginia [Mr. SWANSON] and another Senator, whom I do not at the moment recall, asked that a new bridge policy be printed as a Senate document, and it is to be published.

This policy, I will say for the benefit of the Senator, who was not present at that time, contemplates that in the future, when Congress gives the privilege to private parties to construct a bridge across a navigable stream, which may be a toll bridge, that the State or subdivision thereof may at any time have the right to condemn it, just as they may condemn any other property within the State, but that at the end of 15 years, more or less, dependent upon the nature of the case and the size of the bridge and the time required for amortization, the value of the bridge as a going concern, which has been greatly increased by roads and by use which people make of it, shall not be taken into consideration, but the bridge may then be condemned without any of its additional value as a going concern being taken into consideration by the courts. It was suggested by the House that the State and municipal authorities could not have the privilege of condemning a bridge unless they would immediately make it a free bridge, which they felt would simply mean that it would be impossible for the State or the municipality to float its bonds and to amortize the bridge in the interest of the public. The House has receded from that amendment, and the Senate committee has been able to carry out the policy as adopted the other day by the Senate and as recommended by the Committee on Commerce.

These are the principal things which have been incorporated. In the future it will not be the policy of the committee to recommend the construction of any bridge unless the rights of the public are fully protected.

Mr. REED of Missouri. Does the bill contemplate that the right of the States to condemn does not accrue until 15 years?

Mr. BINGHAM. That was the desire of the House, but the House has now receded from that desire.

Mr. REED of Missouri. So that if Congress has any power to confer this right it can be exercised by the State at any time?

Mr. BINGHAM. Yes; at any time.

Mr. REED of Missouri. Of course, I very much doubt the right of Congress to confer any power upon the States by a statute of this sort. We have, however, so far stretched the interstate commerce act that I am not certain of that.

Mr. BINGHAM. The Senator from Missouri is probably correct that Congress has no authority to confer that right on the States, but the Senator will probably also realize that companies holding franchise privileges of toll bridges over navigable streams have heretofore maintained that the State could not condemn those bridges because the Federal Government had given a franchise across such streams, and this specifically provides that the State shall have that right.

Mr. REED of Missouri. It seems to me that the point could be covered by providing in the franchise that it must be formally accepted by the company, and putting in a clause that, as a matter of contract, it agrees as a part of the consideration granted that at any time the State could condemn. I think it could possibly be done in that way and I am not certain it could not be done in another way; but what I am interested in is this: If I understand the Senator correctly, the particular matter now before us is whether we shall accept this bill with the clause in it attempting to confer the power on the States. That is the situation. We are doing no harm by attempting to do it, as I see it.

Mr. BINGHAM. The Senate has already passed upon that amendment and the House has receded from its objection to

it, I will say to the Senator. The only serious amendment from which the Senate conferees receded is one which attempted to limit the power of condemnation to the States, whereas the bill, as now recommended, gives it also to subdivisions of the States.

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from New York?

Mr. BINGHAM. I yield.

Mr. COPELAND. I should like to ask the Senator from Missouri if he does not think that the plan proposed by the Senator from Connecticut [Mr. BINGHAM] really writes into the agreement something which is in the nature of an implied contract?

Mr. REED of Missouri. I would not want to answer that question without having carefully examined the language, but I would not want it to rest on an implication if I could have a positive agreement. However, it is beyond remedy at this moment.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

WAR DEPARTMENT APPROPRIATIONS

Mr. WADSWORTH. Mr. President, I ask unanimous consent that the unfinished business may be laid aside, in order that the Senate may proceed to the consideration of the War Department appropriation bill.

Mr. ODDIE. Mr. President, will the Senator from New York yield to me for a few minutes?

Mr. WADSWORTH. Will it make any difference to the Senator from Nevada whether the Army bill or the long and short haul bill may be before the Senate?

Mr. ODDIE. It will make no difference to me.

Mr. WADSWORTH. Then, I press my request that the unfinished business may be temporarily laid aside, in order to permit the Senate to proceed to the consideration of the War Department appropriation bill.

Mr. OVERMAN. Before the request shall be agreed to, I desire to inquire of the Senator from Idaho whether he expects to call up the unfinished business this afternoon.

Mr. GOODING. I am quite willing that Senate bill 575 shall be temporarily laid aside, and I was on my feet to ask that that be done.

Mr. OVERMAN. Does the Senator from Idaho think his bill will be taken up this afternoon?

Mr. GOODING. I hardly think so.

The VICE PRESIDENT. Without objection, the request of the Senator from New York is agreed to, and the Chair lays before the Senate House bill 8917.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8917) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes.

FEDERAL AID TO PUBLIC-LAND STATES FOR ROADS

Mr. ODDIE. Mr. President, on Monday last there was placed in the CONGRESSIONAL RECORD an article from Nation's Business, written by the senior Senator from New York [Mr. WADSWORTH], criticizing the system of Federal aid for roads. On yesterday my colleague, the senior Senator from Nevada [Mr. PITTMAN], made a very able statement answering the arguments and statements that were made in the article referred to, and I fully concur in what he then said. I desire now to say a few words in further explanation of the statements which have been made in reference to this matter.

Mr. President, I ask permission to have printed in the RECORD an article from Nation's Business for January, 1926, entitled "A billion for highways! Who pays the bill?" by A. J. Brosseau, director of the National Automobile Chamber of Commerce. In this article that I am placing in the RECORD is found the following:

Federal participation in highway construction and maintenance is not new. In 1803 Congress authorized the construction of a national highway, the Cumberland Pike, which ran from Cumberland, Md., to Wheeling, W. Va. To-day Uncle Sam is again in the business, but this time on a partnership basis. Now he is paying for a part of the construction only, and that on a very limited mileage.

I will quote one more statement from this article, as follows:

More than 50 per cent of the vehicular traffic of the Nation moves over the primary system of highways.

That refers to motor vehicles.

It can hardly be claimed that these are of "local" importance only. Millions of motorists are annually visiting the national parks,

State lines are more often crossed and more quickly crossed nowadays than township lines formerly were.

I ask that the entire article may be printed in the RECORD, Mr. President.

The PRESIDING OFFICER (Mr. BINGHAM in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Nation's Business, January, 1926]

A BILLION FOR HIGHWAYS!—WHO PAYS THE BILL?

By A. J. Brosseau, Director National Automobile Chamber of Commerce

We bought a billion dollars' worth of highways last year—and for three years before that.

Since 1921 we've each been spending an average of \$10 for more new roads and for maintaining those we have. Two and three-tenths cents of each Federal dollar spent last year went for roads—\$92,000,000 altogether. States spent nearly half billion dollars more. Counties, townships, road districts, and other highway authorities spent still another half billion dollars on rural roads.

Highway building in the United States is to-day undoubtedly the largest public-works job in the world. But questions arise. Why Federal aid in road building? Who wants the roads? Who is paying for them?

REVOLUTION IN HIGHWAY POLICY

Federal participation in highway construction and maintenance is not new. In 1803 Congress authorized the construction of a national highway—the Cumberland Pike, which ran from Cumberland, Md., to Wheeling, W. Va. To-day, Uncle Sam is again in the business, but this time on a partnership basis. Now he is paying for part of the construction only, and that on a very limited mileage.

In 1803 he did the whole job and paid for it. But for the shift to rail transportation some 25 years later we might now have a strictly national system of highways. Railroads, however, provided interstate, long distance transportation. Highway activities lapsed. Government—Federal and State—left road building to the local units, counties, and townships. Often State responsibility was shifted to toll companies.

The introduction of power vehicles to the highway caused a revolution in highway policy. County and State lines faded before the widening range of motor vehicle travel. It became imperative to build highways that began somewhere and ended somewhere, and that in relation to each other. Crazy-quilt highway systems are out of vogue now, due to the needs of 18,000,000 motor vehicles.

What is Federal aid? As a matter of fact, Federal aid is not "aid" at all. It is the share paid by the Federal Government as its recognized obligation for its use of, and interest in, such a national system.

In brief, Federal highway aid now provides for Federal participation in the cost of construction on a specified system of highways on a 50-50 basis with the States. The Federal share is limited to \$15,000 a mile. As a result it isn't quite a 50-50 proposition, the Federal share averaging about 47 per cent.

No Federal funds are available for maintenance, one of the requirements asked of the State being that it will guarantee the maintenance of the roads when built.

In 1916 Congress passed the first Federal aid highway act, appropriating \$5,000,000 to start the job of assisting the States in building a nationally connected system of highways. Since then Congress has authorized appropriations totaling \$615,000,000 up to July 1, 1926, of which approximately \$490,000,000 has been appropriated and some \$420,000,000 paid to the States. The task of administering Federal aid fell naturally to the Bureau of Public Roads in the Department of Agriculture. The creation of the bureau's predecessors in 1893, as the Office of Road Inquiry, has indicated the Federal Government's interest in highway transportation.

In 1921 Congress indicated the necessity for a logical development of highways. The Federal highway act passed that year required that Federal funds be confined to a 7 per cent system, so called because it comprised 7 per cent of the State highway mileage, three-sevenths to be primary or interstate roads and four-sevenths to be known as secondary or intercounty (intrastate) highways.

The system now totals 178,797 miles, with all States included. Believing that 48 State highway departments could work more effectively than 3,000 county boards of supervisors, and at a great deal less expense, the 1921 act required that the direction of this Federal highway work be carried on by such State departments.

What are the objections to the Federal Government's participation with the States in highway building?

Opponents of this system assert that:

1. Federal highway aid is misleading in that it offers a gift to the States but in reality taxes them for the money which it gives back—after deducting huge sums for the cost of Federal bureaus.

2. The Federal Government by the 50-50 system indirectly gets control and supervision over local affairs which it could not supervise or control directly without violating the Constitution.

3. Large bureaus are built up in Washington, with resultant red tape and incompetence.

4. State initiative and incentive are impaired.

5. State funds more needed for other local purposes must be used to meet Federal aid.

6. Wealthier States must pay for roads in the poorer States, their share of Federal aid bearing no relation to their contributions to Federal expenses.

7. Federal control results in standardization in local affairs contrary to local needs and desires.

ARMY OF MAIL CARRIERS

Let's look at each argument in the light of all the facts.

(1) Federal funds are spent only for those things of general benefit and to meet the Federal Government's obligations. Its use of the highways and authority over them would seem to indicate a responsibility for assistance in financing their construction. There can be no authority without responsibility.

Each day a small army of mail carriers travel over a million and a quarter miles of highways delivering the United States mails, seven times the mileage in the Federal system. The administration of Federal highway aid is limited by statute to 2 per cent of available funds. This must provide for central administration for approval of projects, inspection, financial arrangements, research, etc.

(2) The framers of the Constitution provided the basis of Federal cooperation in highway building when they prescribed in that document that Congress should have power to " * * * establish post offices and post roads." And further " * * * provide for the common defense and general welfare of the United States. * * *"

In 1921, speaking before the Senate Committee on Post Offices and Post Roads, General Pershing said, "The country roads will be of tremendous value in time of war * * * these roads must be relied upon to obtain the needed food supplies."

Out in Indiana recently the construction of a drainage canal was being carried on by cutting through the Lincoln Highway. The cut was covered with a temporary bridge, but no provision was made for permanent repairs. The State highway commission acknowledged itself powerless to compel such repairs. The Bureau of Public Roads then stepped in on the grounds of interference with interstate commerce and the court sustained the plea.

MILLIONS SAVED

More than 50 per cent of the vehicular traffic of the Nation moves over the primary system of highways. It can hardly be claimed that these are of "local" importance only. Millions of motorists are annually visiting the national parks. State lines are more often crossed and more quickly crossed nowadays than township lines formerly were.

(3) There has been no criticism of the Bureau of Public Roads' administration of Federal aid from any but local politicians and selfish local interests. The honesty, efficiency, and fairness of the bureau does not seem to be open to question. Its cooperative researches alone have saved millions to the taxpayers. Through its studies of the management of earth moving, increases of 25 per cent to 35 per cent in the amount of earth moved in a given time have been made possible through improved management and elimination of preventable time losses in operation.

Continuing intensive studies by the United States Bureau of Public Roads at Arlington, Va., on road-surface wear and road resistance have brought tangible results in present-day Federal-aid construction.

Two or three years ago the State highway department of Illinois built 2 miles of highway for test purposes—the Bates Test Road—and then proceeded to run heavy trucks over it to determine the wearing qualities. The road in some places was demolished and in other places stood the battering very well.

INITIATIVE LIES WITH STATES

Out of the test came extremely valuable knowledge. It was found that roads should be built heavier at the edge than in the center, as had previously been current practice growing out of the "always-been-done-that-way" habit of years. Thirty-three States have adopted this practice and something like \$3,900 a mile is being saved in construction costs.

(4) The initiative in connection with Federal highway aid is with the States. They submit projects of desired improvement on the Federal system to the Secretary of Agriculture for approval. Such projects are refused only where it appears clearly to the public benefit not to approve them. In some instances no provision has been made for maintaining the road when built. In others it does not appear that the State highway department has control of sufficient funds to complete the project. In other instances the type of road which the State desires to build may be uneconomic.

Nor are expensive roads required to secure Federal funds. To date more low-type roads—sand, clay, and gravel—have been built with the assistance of Federal funds than all the higher types of surface put together.

It is specifically provided in the act that such types of road shall be built as are adequate, with due regard to the economic needs of the

locality. And this applies to the extent of preventing overzealous communities from building roads too expensive for their pocketbooks, just as well as it applies in preventing them from building roads too cheap to be serviceable.

(5) Last year less than 2½ cents of each Federal dollar was devoted to highways, \$92,000,000 being paid to the States. During the same period there was collected by the States from motor vehicle registration fees and gasoline taxes \$304,000,000, more than three times as much in special fees as required to meet Federal aid.

Bond issues have not been voted to meet Federal aid, but to extend State systems even faster than the Federal Government proposed. The demands of 18,000,000 motor vehicles make highway improvement one of the primary functions of the State government—than which it has no more important use for its funds. President Coolidge said, "No expenditure of public money contributes so much to national wealth as that for building good roads."

(6) It is sometimes said that one State contributes more to the Federal Government than another. Applied to Federal aid this argument is advanced as a reason for securing a share of Federal aid based on the percentage of the State's contribution to the total Federal income. But how sound is the argument?

The Union Pacific in 1923 paid an income tax in New York City of \$4,500,000 and yet this road does not operate east of Omaha and Kansas City. The Southern Pacific paid through New York a tax of \$5,000,000 and this road does not run any nearer New York than New Orleans.

Sixty-four thousand corporations made their reports to the Federal Government through New York City. Seventy-three per cent of all the Federal automobile excise taxes in 1924 were collected in the State of Michigan—43 per cent of Michigan's contribution to the Federal Government. Eighty-six per cent of North Carolina's contribution to the Federal Government was from the tax on tobacco in manufactured form. Are these States entitled to pay these taxes as their contribution to the expenses of the Federal Government?

(7) In an upper corner of Arizona is a little stretch of road which is on the Federal 7 per cent system. It probably runs about 25 or 30 miles across a desert with no inhabitants. Arizona says, and rightly so, "Why should we build a road across there?" But transcontinental traffic, and in fact, heavy interstate traffic from Salt Lake City to Los Angeles, finds it the only route between these two points. Some one has to see to it that traffic needs paramount to the immediate needs of individual States are cared for.

ACROSS THE GREAT SALT DESERT

Then there's the famous Wendover cut-off, built by Utah and the Federal Government across the Great Salt Desert. No local people are served. Why should Utah build a road there? Yet we find them wholeheartedly cooperating to build a shorter route from New York and Washington to San Francisco.

Some 50,000 miles of highways have just been approved for uniform sign posting by the joint board of interstate highways, composed of State highway officials and Bureau of Public Roads representatives. Danger and direction signs will be standardized, and order will now be possible out of the chaos of signs confronting the bewildered motorist at every crossroad. This cooperative accomplishment is easily the outstanding achievement of the year in the highway world—made possible by an impartial national agency, through which individual State differences and opinions could be adjusted.

And so we come to the question: Who wants the roads? Our 18,000,000 motor vehicles, 10 per cent of them motor trucks and busses, require good roads. Until the World War the roads were built for light, fast, passenger-car traffic. Then the motor truck came into use and with it the destruction of unsuitable road surfaces. Now it is the abuse, rather than the use of roads, which is responsible for extraordinary wear and tear.

Secretary of Agriculture Jardine, speaking before the Mid-West Motor Transport Conference, said:

"The idea that trucks destroy roads is a hangover from the war period, when they were actually destroyed, for two very good reasons: First, because the heavier motor trucks—then comparatively new—were suddenly released on roads which had not been built to accommodate them; and second, because at that very time the expenditure of money for highway maintenance was declared to be nonessential to the winning of the war and discouraged."

The roads we are building now are built to accommodate the traffic they will be called upon to carry, as determined by detailed surveys such as I have described. And they are maintained. They wear out, just as rails and locomotives and motor trucks wear out, but they are not destroyed.

Undoubtedly we shall in time come to the segregation of traffic upon our highways. But the earning capacity of a road determines the amount of money, which can economically be invested in it.

In England the primary consideration in road construction has been the utilitarian use for the carriage of goods. The use of steam-propelled

vehicles with steel rims, far antedating our own motor-truck development, no doubt has been largely responsible. The passenger car followed rather than preceded the commercial vehicle.

We did not come in this country to an established economic rail-transportation system overnight. Nor was it accomplished without Government aid, public lands equal in area to the thirteen original States having been conveyed in public grants to assist in railroad construction.

Commercial passenger and freight carrying by motor vehicle is in its infancy. The strongest factor of it is public demand. Without it this new "infant industry" could not exist.

NOT A COMPETITOR OF RAILS

The motor vehicle is not a rail competitor, as Secretary Jardine said: "One thing we know very definitely, there is no basis for the fear that the motor truck is going to compete seriously with the railroads. The facts we have found in all our surveys are sufficient to convince me. The truck has found its place in the short haul, and it is not taking any business that the railroads can do as well or better."

One has but to look at the peak records for car loadings established during the past year, and earnings climbing to new peaks, to be convinced of this fact. Rail passenger business has fallen off. But has it been due to commercial passenger transportation? The private automobile seems to have been chosen in preference to the passenger train. What the future trend will be remains to be seen, but it is certain that rail abandonment is not chargeable to highway competition.

Only 50 miles out of a total of 250,000 miles of railroad in use have been abandoned since 1920 because of motor competition. According to a recent study of the Bureau of Public Roads, this is about 4 per cent of the rail mileage abandoned in the five-year period. Rail competition is indicated as responsible for the abandonment of six times the mileage abandoned because of highway competition.

And last, but not least: Who is paying the highway bill? Several States reduced general property taxes last year principally because of increased motor vehicle revenues which decreased or eliminated the general State levy for highway purposes. This is notably the case in Wisconsin and North Carolina.

The accompanying table of State highway income shows the shift in the highway tax burden, due to increased motor vehicle revenues.

Local roads are largely financed from local tax levies, and economists generally agree that this is sound, except where the State does not assume its full obligation for a state-wide system of highways.

Eighty per cent of the motor vehicles of the country pay gas taxes ranging from 1 cent to 5 cents a gallon. South Carolina leads the list with a 5-cent tax. North Carolina, Nevada, and Arkansas follow closely with a 4-cent tax; one State has a 3½-cent tax, 15 others a 3-cent tax, 1 a 2½-cent tax, 19 a 2-cent tax, and 4 a 1-cent tax.

It is estimated that the tax will yield \$139,000,000 in 1925, as against \$79,000,000 in 1924. Registration fees will probably reach a total of \$250,000,000, as against \$225,000,000 last year, so that these two special taxes will reach approximately \$400,000,000 in 1925.

HOW TAX MONEY IS SPENT

Of the motorists' special tax bill in 1924, of more than half a billion dollars, only about 50 per cent was directly applied to highway work under State highway departments. This does not include \$100,000,000 in personal property taxes on the vehicles and all other taxes paid regularly by the owners of these vehicles.

About \$48,000,000 out of \$79,000,000 in gas taxes was so utilized. Some of the rest was applied to highways by counties, but much went to schools, State fish hatcheries, general funds—to retire old railroad bonds—and other purposes which should be met out of general taxes.

In 1923, according to John E. Walker, former tax advisor to the treasurer, some 3.5 per cent of the total highway bill for that year was derived from rail taxes, about \$32,000,000 of the railroad tax bill of \$330,000,000 going to this purpose. It appears, however, that in the same year revenues were derived from the carriage of road materials and motor vehicles which brought in more than \$400,000,000. This was entirely aside from new business generated over the feeder highways.

With rapidly decreasing State taxation for highway purposes it becomes evident that the burden of rail taxation for highway purposes is in the local units, county and township. Yet these are the feeder roads without which the railroad could not exist and which do not enter into competition whatever with the rail lines.

But these investments in highways are profitable only when they make a return. This is as applicable to highways as to the field of finance. A highway's earnings are largely in the savings in costs of transportation, in the operation of the vehicle, in economic readjustments as in the field of the short haul, increased land values and development of new areas of food production.

Suppose, as has been advocated, Uncle Sam withdrew from the highway business to-morrow. Suppose also, following his example, the States decided to let the counties take care of their own highway construction and maintenance. Would it pay? Would we permit it?

State highway income, showing the shift in the highway tax burden, due to increased motor-vehicle revenues

	1921		1923		1924	
	Amount	Per cent	Amount	Per cent	Amount	Per cent
Bond issues.....	\$120,499,923	28.2	\$96,035,048	19.6	\$101,803,327	18.3
State taxes levied.....	47,826,291	11.2	25,596,457	5.2	19,692,629	3.6
Legislative appropriations.....	40,758,583	9.5	36,318,721	7.4	27,953,920	5.1
Transfer from counties.....	32,005,656	7.5	66,021,509	13.3	77,386,842	14.0
Gasoline taxes.....			19,921,077	4.1	46,060,385	8.3
Motor-vehicle license fees.....	93,585,124	22.0	154,075,080	31.5	175,252,260	31.6
Federal aid.....	78,926,941	18.5	74,883,783	15.3	91,801,907	16.6
Miscellaneous.....	13,385,517	3.1	17,515,571	3.6	13,683,478	2.5
Income for year.....	426,988,035		489,367,237		553,634,748	
Balance on hand from previous year.....			99,212,986		146,583,340	
Grand total funds available.....			588,580,223		700,218,088	

These funds are expended upon the roads carrying from 50 per cent to 75 per cent of the total vehicular traffic.

Mr. ODDIE. Mr. President, my State, Nevada, has been unfairly dealt with in the statement which appeared in the CONGRESSIONAL RECORD on Monday, to which I refer, in which a comparison is made between the money the State pays into the Federal Treasury and the amount it receives back from the Federal Treasury for road-building and other purposes.

There are three main transcontinental highways crossing my State from east to west. The Federal Government has paid considerably more than half of the cost of this construction work, because these roads traverse mostly Federal lands, the Federal Government owning nearly 90 per cent of the area of the State of Nevada. That question has been ably discussed on the floor of the Senate previously, and I will not now go into it in detail. I want to call the attention of the Senate to the fact that the Federal Government compels the States to maintain these roads after they are built. The State of Nevada, with its enormous area, comparatively small population, and assessed property—and I am speaking also for a number of the other Western States—is compelled to maintain these roads which the Federal Government has helped to build.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from New York?

Mr. ODDIE. I yield.

Mr. COPELAND. Are those the only roads in the State of Nevada aided by Federal grant?

Mr. ODDIE. Those, Mr. President, are the principal roads, the three main highways. They come under the 7 per cent system.

Mr. COPELAND. Are there other roads, lateral roads, not direct trunk lines across the State, which are built by Federal aid?

Mr. ODDIE. Only a very small mileage, besides the transcontinental highways, that does not come under the Federal aid system.

The transcontinental roads across the State are about 500 miles long each, there being, as I have said, three of them, so that there are about 1,500 miles of road which the State of Nevada has to maintain. That imposes a very heavy burden on the State.

Mr. President, these roads are used mostly by automobiles and trucks from other States. The citizens of the Eastern States and the Middle Western States use these roads far more than do the citizens of the Western States which are traversed by them. I feel that a great injustice has been done to the Federal aid system by the comments made by those who are, I am sure, not so well informed as I wish they were on these matters.

I desire to call attention to something which I consider distinctly unfortunate and unfair in our present taxation system. I will take for illustration the great State of New York. Everybody in the Union is proud of that State; everyone glories in its greatness and in its wealth; but, Mr. President, the American people are misinformed as to certain features of the taxation problems which affect the State of New York in its relation to other States. For instance, the banks of the city of New York have on deposit nearly two and a quarter billion dollars, but 38 per cent of that money comes from banks and trust companies in other States.

As to the question of railroad taxation—and I am now speaking of income taxes which go to the State of New York, using

that State as an illustration—the Southern Pacific Railroad Co. paid a tax of \$5,000,000 last year in the State of New York; the Union Pacific Railroad Co. paid a tax of four and a half million dollars in that State. Those railroads have their entire mileage in the Western States.

In New York State there are something like 65,000 corporations. I will mention but 24 of them as illustrating the point I am trying to bring out. They are corporations which operate and own property in other States very largely, but pay their taxes in New York. Among these corporations are the American Railway Express Co. The net income of that organization last year was \$2,950,000. The American Beet Sugar Co., with a net income of a million and a half dollars; the American Can Co., with a net income of nearly fifteen and a half million dollars; the American Locomotive Co., with a net income of nearly twelve and a half million dollars, with stockholders numbering over 11,000 in many States.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from New York?

Mr. ODDIE. I yield.

Mr. COPELAND. Does the fact that the money collected in New York comes from Nevada furnish an excuse for giving it over for the building of Federal roads in Nevada?

Mr. ODDIE. The money that the Federal Government expends for Federal roads, Mr. President, comes out of the Federal Treasury and is paid to the various States to match the funds they contribute.

Mr. COPELAND. Mr. President, the objection I have to the grant of money for the building of roads out of Federal funds is that there is no constitutional justification for it. It is a violation of our entire arrangement of government.

Mr. ODDIE. The plan has been in existence for a number of years, and its constitutionality has never been questioned.

Mr. COPELAND. Mr. President, I beg to say it has been questioned and I believe it is going to be questioned more seriously this year than ever before. The only excuse for granting money for the aid of building Federal roads in these States out of Federal funds is that under the provisions of the Constitution Congress is empowered to establish post offices and post roads.

If these trunk roads may be considered to be post roads, all right; we have justification for the expenditure in that instance, but I myself have a very serious question. I held my nose and voted for the measure last year, but I have got to have stronger medicine to make me vote for it this year, because I am more than ever convinced that it is an unconstitutional procedure.

Mr. ODDIE. Mr. President, to continue the list of companies which operate and own their properties mostly in other States and pay their income taxes in New York, I call attention to the American Radiator Co., with a net income of nearly \$10,000,000; to the American Smelting & Refining Co., with stockholders in every State, numbering over 12,000, with plants in Colorado, Utah, Washington, California, Montana, Texas, Arizona, Maryland, Illinois, Nebraska, Oklahoma, New Jersey, and also in Mexico and South America, and with a net income of nearly twenty-two and a half million dollars; the American Sugar Refining Co., with stockholders in every State numbering over 25,000, and having a net income of over eight and a half million dollars; the American Telephone & Telegraph Co., with over 358,000 stockholders in all the States of the Union, and having a net income of nearly \$145,000,000; the American Tobacco Co., with a net income of nearly \$18,000,000; the Anaconda Copper Mining Co., with plants in Montana and Wyoming, and having a net income of over eighteen and one-half million dollars; the Buckeye Pipe Line Co., having pipe lines in Ohio, with a net income of over a million dollars; the Indiana Pipe Line Co., with pipe lines in Indiana, with a net income of nearly \$1,000,000; the National Biscuit Co., with a net income of over \$12,000,000; the National Lead Co., with 49 plants in various States, and with a net income of about five and a quarter million dollars; the Nevada Consolidated Copper Co., with mines and plants all in Nevada, with stockholders in several States, and having a net income of over \$2,500,000; the Pan American Petroleum & Transport Co., which has no property in New York, with a net income of over \$13,000,000; the Postum Cereal Co., with plants in Michigan and Canada, and stockholders in every State numbering 1,500, and with a net income of nearly \$3,000,000; the Sinclair Consolidated Oil Corporation, with over 41,000 stockholders scattered all over the various States, and with a net income of nearly \$30,000,000; the Tobacco Products Cor-

poration, which controls the United Cigars Stores Co., with factories in Virginia, and a net income of over four and a half million dollars; the Union Tank Car Co., with a net income of over \$1,000,000; the Utah Copper Co., with 867,613 acres in Utah, and owning the Nevada Consolidated, with a majority of the stockholders living in New York, and having a net income of over \$12,000,000; the Utah Securities Corporation, which is engaged in the electric power, light, and gas business in Utah, Idaho, and Colorado, with a net income of \$135,606; the Woolworth Co., with stockholders in every State, 1,356 stores, and a net income over \$20,000,000; the Western Union Telegraph Co., with stockholders in every State numbering over 26,000, maintaining 25,000 offices throughout the country, having over a million and a half miles of wire, and a net income of nearly \$16,000,000.

Mr. President, this shows that a large proportion of the income taxes paid in New York State on corporations is derived from companies operating and owning properties outside of New York State. The States in which these companies own property and operate should be entitled to some credit which they are not getting to-day, because all of it is going to the State of New York. These comparisons of income received by different States, that I have seen published numbers of times, are doing a great injustice to my State and to some of the other Western States. The comity between States should be considered. I know that my friends from New York have no intention of doing anything unfair or harmful; but these statements going about the country tend to withhold from our Western States benefits and necessities to which they are entitled, and, furthermore, they injure their credit.

I have the highest respect and regard for my friend, the Senator from New York [Mr. WADSWORTH]. I do not think a more able, a more fair-minded, or a more honest man ever sat in the Senate. I believe that he has taken as true these statements which have been repeatedly published throughout the country regarding the proportion and amount of taxes Nevada pays into the Federal Treasury. I do not think he has looked at our side of the matter, as he is confronted with such enormous problems concerning the great State of New York. I hope that hereafter the people of the country look at this problem a little more justly than they have heretofore.

I ask that the statement made by the American Association of State Highway Officials, commenting on this matter, be placed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

WHO PAYS UNCLE SAM'S BILLS

When the Federal Government wants funds to meet its obligations it calls upon its citizens, irrespective of residence, to pay according to their means.

States, as such, have no obligations, and tabulation of receipts for the Federal Treasury, by States, is misleading, unfair, and in many cases far from the truth as to who meets the assessments.

A NATIONAL VIEWPOINT DESIRABLE

Probably the ideal way of considering the real business affairs of the Nation as transacted by present-day methods would be to discard all State lines and consider New York, Boston, Philadelphia, Baltimore, New Orleans, St. Louis, Chicago, San Francisco, etc., as clearing-house centers. But we have been in the habit of telling what this State does and what that State has accomplished, so long, that certain results are tabulated as by States, when in reality some States would actually starve, if it were not for their neighbors. They have plenty of gold in the till but no hills on which to graze cattle. Some of the richest States in the Union do not annually produce one-half of 1 per cent of the basic wealth so necessary to our very national existence.

Some people can be born in one State, educated in another, and attain business success in another—always at home, and proudly American. Others are like one of the early fathers, who, going 12 miles west of Boston, celebrated the event by erecting a stake on which he had inscribed "Thus far shall civilization go and no farther."

CLAIM AN UNEQUAL BURDEN TO STATES

In recent months a concerted effort has been made to try to prove that Federal cooperation with the States in certain endeavors is vicious, leads to extravagance, and compels certain States to contribute to the Federal Treasury amounts beyond a just requirement. It is not the purpose of this article to discuss the merits or demerits of Federal financial cooperation with the States in certain endeavors. But it is our purpose to attempt to show that, while there are States given credit for very large payments into the Federal Treasury, and the

bookkeeping total seems to give them grounds for such assumptions, in reality it is property often thousands of miles away from the bookkeeper's desk which furnishes the taxable wealth from which the seeming excess of contributions is made.

In entering the protest against Federal cooperation with the States in various enterprises tables have been widely published to prove that a few States really furnish more than 75 per cent of the entire amounts collected by the Federal Government for these purposes, and that they receive in return but a very small portion of what they pay into the Treasury. At the same time other States are given sums far in advance of what they pay.

Since the larger part of these Federal contributions of late years has been for highways, these highway appropriations have been singled out as especially unfair.

GROUP STUDY BY STATES

In reality no State pays more into the Federal Treasury than is indicated by its wealth and population.

The total receipts of the Federal Treasury, in a major part, come from internal revenue and customs duties. These two items last year constituted 83.27 per cent of the entire receipts. Since we have no way of prorating the tariff returns to the several States, this leaves us to consider internal revenue as the source from which the States pay funds direct to meet the bills of the Federal Government. Last year internal revenue represented almost 70 per cent of the total Federal receipts.

It is impossible to make a study of this situation except by certain comparative methods. To make tabulations showing the entire 48 States is unnecessary, and to do so simply overburdens the line of investigation and makes it more difficult for one to follow the relationship of the several States. We have therefore taken 15 States from which to make certain deductions—the first 15 States leading in various things around which center the basis for collecting funds for Federal appropriations. The items used for comparison are basic wealth, national wealth, population, and internal revenue.

The first 15 States in basic wealth are given because, while they may not pay the Federal Treasury as much as some States which are called "Industrial" and are therefore capable of producing larger incomes, basic wealth is of vital importance to the entire Nation and States providing such wealth need the fullest development. By basic products is meant the value of one year's production of wealth from minerals, forests, animals, and agriculture. Basic wealth gets the least return for its products. Many crops are perishable and must take the market price offered.

Naturally, we think that States having the greatest amount of total wealth should pay the largest sums to run the Government and population in relation to total wealth is an element for consideration.

There are 22 States in these four groups and it should be noted that the following States are always a part of the four groups given: California, Illinois, Indiana, Michigan, Missouri, New York, Ohio, Pennsylvania, Texas, and Wisconsin.

Two States are in all groups but one: Massachusetts and New Jersey, each not being in the basic wealth group.

Four States are in two groups: Iowa, Kansas, and Minnesota in both basic and total wealth and North Carolina in population and revenue paid.

Six States are in one group only: Connecticut and Virginia in revenue payments; Georgia and Kentucky in population; and Oklahoma and West Virginia in basic wealth.

TABLE NO. 1.—First 15 ranking States in percentage of total basic wealth of the Nation compared to their percentage of the Nation's total wealth, their percentage of total payments through internal revenue and population

State	Percentage of total basic wealth	Percentage of total national wealth	Percentage of total internal revenue paid	Percentage of total population
Pennsylvania.....	7.6	9.2	9.7	8.4
Texas.....	7.5	8.1	1.3	4.3
Illinois.....	5.2	7.1	7.7	6.0
California.....	4.8	4.8	4.6	3.6
Iowa.....	4.8	3.3	.06	2.2
Ohio.....	4.1	5.8	5.5	5.3
Oklahoma.....	3.6	1.2	.04	1.9
Missouri.....	3.5	3.1	2.4	3.2
Minnesota.....	3.2	2.7	1.1	2.2
New York.....	3.2	11.7	28.8	10.2
Kansas.....	3.0	2.0	.07	1.7
Indiana.....	3.0	2.8	1.6	2.7
Wisconsin.....	2.9	2.5	1.4	2.4
Michigan.....	2.7	3.6	7.9	3.3
West Virginia.....	2.5	1.4	.07	1.3
Total.....	61.6	64.3	72.24	58.7

TABLE NO. 2.—First 15 ranking States in percentage of total national wealth in comparison with their percentage of total payments made by the States through internal revenues, population, and percentage of basic wealth

State	Percent- age of total national wealth	Percent- age of total internal revenues paid	Percent- age of total popula- tion	Percent- age of total basic wealth
New York.....	11.7	28.8	10.2	3.2
Pennsylvania.....	9.2	9.7	8.4	7.6
Illinois.....	7.1	7.7	6.0	5.2
Ohio.....	5.8	5.5	5.3	4.1
California.....	4.8	4.6	3.6	4.8
Massachusetts.....	4.1	5.0	3.5	0.05
New Jersey.....	3.7	4.0	3.2	0.07
Michigan.....	3.6	7.9	3.3	2.7
Iowa.....	3.3	0.06	2.2	4.8
Missouri.....	3.1	2.4	3.2	3.5
Texas.....	3.1	1.3	4.3	7.5
Indiana.....	2.8	1.6	2.7	3.0
Minnesota.....	2.7	1.1	2.2	3.2
Wisconsin.....	2.5	1.4	2.4	2.9
Kansas.....	2.0	0.07	1.7	3.0
Total.....	69.6	81.13	62.2	55.62

TABLE NO. 3.—First 15 ranking States in percentage of total national population compared to their percentages of the total national wealth, credits in payments of internal revenue, and total basic wealth

State	Percent- age of total popula- tion	Percent- age of national wealth	Percent- age of internal revenue paid	Percent- age of basic wealth
New York.....	10.2	11.7	28.8	3.2
Pennsylvania.....	8.4	9.2	9.7	7.6
Illinois.....	6.0	7.1	7.7	5.2
Ohio.....	5.3	5.8	5.5	4.1
Texas.....	4.3	3.1	1.3	7.5
California.....	3.6	4.8	4.6	4.8
Massachusetts.....	3.5	4.1	5.0	.05
Michigan.....	3.3	3.6	7.9	2.7
New Jersey.....	3.2	3.7	4.0	.07
Missouri.....	3.2	3.1	2.4	3.5
Georgia.....	2.8	1.2	.06	1.6
Indiana.....	2.7	2.8	1.6	3.0
Wisconsin.....	2.4	2.5	1.4	2.9
North Carolina.....	2.3	1.4	5.7	2.4
Kentucky.....	2.2	1.1	1.0	2.4
Total.....	63.4	65.2	86.66	51.02

TABLE NO. 4.—First 15 ranking States credited with largest payments of internal revenue, 1924, compared to their percentage of the total national wealth, population, and the total basic wealth of the Nation

State	Percent- age of total revenue paid	Percent- age of total national wealth	Percent- age of total popula- tion	Percent- age of total basic wealth
New York.....	28.8	11.7	10.2	3.2
Pennsylvania.....	9.7	9.2	8.4	7.6
Michigan.....	7.9	3.6	3.3	2.7
Illinois.....	7.7	7.1	6.0	5.2
North Carolina.....	5.7	1.4	2.3	2.4
Ohio.....	5.5	5.8	5.3	4.1
Massachusetts.....	5.0	4.1	3.5	0.05
California.....	4.6	4.8	3.6	4.8
New Jersey.....	4.0	3.7	3.2	0.07
Missouri.....	2.4	3.1	3.2	3.5
Virginia.....	1.6	1.5	2.1	0.04
Indiana.....	1.6	2.8	2.7	3.0
Wisconsin.....	1.4	2.5	2.4	2.9
Connecticut.....	1.3	1.6	1.3	0.03
Texas.....	1.3	3.1	4.3	7.5
Total.....	88.5	66.0	61.8	47.09

A MORE INTIMATE INSPECTION

Now let us study more closely these various elements as expressed in percentages of the total for the United States.

Notice first, that in every column in each table, the total percentage shows that the 15 States considered furnish over 50 per cent of the entire percentages of the United States, with the exception of one—the group which pays 88.5 per cent of the total internal revenue furnishes 47.09 per cent of the total basic wealth. The general average of all the elements considered is 65.9 per cent of the percentage for the entire Nation.

The 15 States leading in basic wealth have 61.6 per cent of the total national wealth. They pay 72.24 per cent of the internal revenue, have 64.3 per cent of the total national wealth, and 58.7 per cent of the population.

The 15 States leading in total wealth have 69.6 per cent of the total national wealth, pay 81.13 per cent of the internal revenue, have 62.2 per cent of the population, and furnish 55.62 per cent of the basic wealth.

The 15 States leading in population have 63.4 per cent of the total national population. They pay 86.66 per cent of the internal revenue, have 65.2 per cent of the total wealth, and furnish 51.02 per cent of the basic wealth.

The 15 States leading in payments of internal revenue pay 88.5 per cent of the total national internal revenue. They have 66 per cent of the total wealth, 61.8 per cent of the population, and supply 47.09 per cent of the basic wealth.

In furnishing basic wealth, outside of the basic-wealth group, the other groups are in the following order: Total wealth, 55.62 per cent; population, 51.02 per cent; payments in internal revenue, 47.09 per cent.

The groups of States having the largest amount of total wealth, outside of the total-wealth group, are in the following order: Payments in revenue, 66 per cent; population, 65.2 per cent; and basic wealth, 64.3 per cent.

The groups of States having the largest population, outside of the population group, are in the following order: Total wealth, 62.2 per cent; payments in revenue, 61.8 per cent; and basic wealth, 58.7 per cent.

The groups of States making the largest payments in internal revenue outside of the internal-revenue group are in the following order: Population, 86.66 per cent; total wealth, 81.13 per cent; and basic wealth, 72.24 per cent.

The groups ranked according to the highest percentage of the total for the United States are:

	Per cent
Payments in internal revenue.....	88.5
Total wealth.....	69.6
Population.....	63.4
Basic wealth.....	61.6

You will notice that the total percentage for the group making payments of internal revenue is higher than any other group, although the population and total wealth groups are very close seconds in their payments of revenue, being 86.66 and 81.13, respectively.

DEDUCTIONS DRAWN

Closer observation of these groups by comparison shows that:

1. In total payments into the Federal Treasury the group having the largest population coincides very closely to the 15 highest in actual payments, being 86.66 per cent over against 88.5 per cent.

2. The group having the greatest total wealth follows closely with a percentage of revenue payments of 81.13 per cent.

3. This shows that the 15 States in population and the 15 States in total wealth follow very closely the 15 States in revenue payments.

4. In these comparisons one naturally supposes that population and total wealth would go hand in hand with revenue payments, and they do very closely, as far as total percentages are concerned, but the list of States changes, and consideration of population and total wealth bring six other States into the reckoning.

5. If the Federal Government used the method of raising funds by a general levy on all property these groups of States would not shift so much.

6. Connecticut and Virginia, representing 0.07 per cent of the entire basic wealth of the Nation, when we come to make up the population group, give way to Georgia and Kentucky, which furnish 4 per cent of all the basic wealth. Also Connecticut, North Carolina, and Virginia, representing 2.47 per cent of the entire basic wealth of the Nation, when we come to make up the total-wealth group, give way to Iowa, Kansas, and Minnesota, which furnish 11 per cent of all the basic wealth.

If this last group of States were manufacturing tobacco products instead of corn and wheat products, they would also be in the first 15 States paying internal revenue.

WHO REALLY PAYS THE BILLS?

This brings us to a concrete study of the group making the largest payments into the Federal Treasury. It will be noticed that the following States pay a much larger percentage than their percentage of total wealth or population:

New York, Michigan, and North Carolina

State	Pay- ments	Total wealth	Popula- tion
New York.....	28.8	11.7	10.2
Michigan.....	7.9	3.6	3.3
North Carolina.....	5.7	1.4	2.3

The question arises as to the cause for this excess of payments.

In the case of Michigan it is immediately and satisfactorily explained when it is understood that 43 per cent of the total tax paid by Michigan

is excise on automobiles and 73 per cent of all the automobile excise tax of the United States is collected in Michigan. When it is known that there is an average of \$31 per car collected it can be understood how this large fund is really spread out over the country, for the purchaser of the car pays the bill.

Here is a list of the cars, by States, which paid this excise tax last year:

Alabama	31,213
Arizona	9,744
Arkansas	44,327
California	158,275
Colorado	24,034
Connecticut	46,243
Delaware	6,586
Florida	36,584
Georgia	27,453
Idaho	10,269
Illinois	166,543
Indiana	85,397
Iowa	76,956
Kansas	55,411
Kentucky	38,743
Louisiana	24,495
Maine	19,273
Maryland	44,473
Massachusetts	94,622
Michigan	161,561
Minnesota	63,772
Mississippi	42,271
Missouri	98,099
Montana	9,414
Nebraska	31,874
Nevada	1,091
New Hampshire	11,236
New Jersey	84,922
New Mexico	6,385
New York	221,091
North Carolina	30,651
North Dakota	13,285
Ohio	141,454
Oklahoma	73,045
Oregon	27,596
Pennsylvania	200,027
Rhode Island	16,717
South Carolina	33,806
South Dakota	14,794
Tennessee	44,710
Texas	178,531
Utah	11,495
Vermont	10,955
Virginia	48,325
Washington	35,193
West Virginia	30,929
Wisconsin	84,860
Wyoming	6,699

Of the Michigan income tax the Fords alone paid \$21,260,000. It should be stated, however, that the people of Michigan have not made any claim that they are paying more than their due share of the internal revenue.

As to North Carolina, a similar explanation can be made. North Carolina's seeming excess is even more startling, for 86 per cent of the total internal revenue paid by North Carolina is on tobacco in its manufactured form, and the purchaser, wherever he may live, pays for the revenue stamp. North Carolina likewise is not making any complaint.

Before we take up the case of New York, it should be noted, in passing, that all of the other States in this group are not paying much more if as much as their total wealth and population would seem to demand.

State	Revenue	Wealth	Population
Pennsylvania	9.7	9.2	8.4
Illinois	7.7	7.1	6.0
Ohio	5.5	5.8	5.3
Massachusetts	5.0	4.1	3.5
California	4.6	4.8	3.6
New Jersey	4.0	3.7	3.2
Missouri	2.4	3.1	3.2
Virginia	1.6	1.5	2.1
Indiana	1.6	2.8	2.7
Wisconsin	1.4	2.5	2.4
Connecticut	1.3	1.6	1.3
Texas	1.3	3.1	4.3

While Massachusetts and New Jersey show a slight increase of payments in excess of wealth, the results obtained from a study of New York State are the same for these States except in a much less degree. Massachusetts, New Jersey, Virginia, and Connecticut together barely furnish an average of one-half of 1 per cent of the basic wealth of the Nation from each State. Virginia would not be in this group at all if it were not for the tobacco revenue tax, which is 56 per cent of the total internal revenue paid through that State. And Virginia likewise is not complaining.

IS NEW YORK IMPOSED UPON?

By public address and newspaper articles, broadcast throughout the country, statements have repeatedly been made that New York pays over 25 per cent of every bill that Uncle Sam must meet.

Let us see. The keeper of accounts credits New York with having paid 28.8 per cent of the total internal revenue collected. Normally,

wealth and population considered, New York should pay 10.9 per cent. If all the facts could be secured, it could easily be shown that that is really all she is doing now. Publicity of income taxes paid and much painstaking study of tabulations, some of which seem to be made more for bewilderment than elucidation, enables one to at least scratch the surface and present to the public a fair and well substantiated statement as to the real situation.

The total internal revenue credited to New York, in round numbers, is \$690,400,000. Of this amount \$506,593,000, or over 73 per cent, comes from corporation and individual incomes. And 40.9 per cent of the 73 per cent is from corporations. Speaking of personal income tax paid in New York, who is it that does not understand that the \$7,500,000 personal income tax paid last year by Mr. Rockefeller represented earnings collected from many States? Always remember that corporations pay an income tax only when a profit exists. Such is not the case in personal obligations above certain exemptions. With corporations it is "No profits, no income tax." In 1922 (last Federal report) the corporations in New York paid 25.59 per cent of all the corporation tax of the United States and still were able to declare cash dividends to their stockholders of over \$975,724,000 and also stock dividends of over \$1,229,572,000. No one begrudges their prosperity. The total number of corporations in the United States paying an income tax that year were 212,535. Of this number 35,504 paid an income tax in New York—almost three times as many as Pennsylvania and yet New York has only 11.7 per cent of the total national wealth while Pennsylvania has 9.2 per cent of the total national wealth.

Again, according to the latest Federal report (1922) the total corporation tax paid in the United States that year was \$783,776,268, which was 47.6 per cent of the entire income tax. Manufacturing paid \$389,776,280, or 40.9 per cent of all corporation tax or 23.7 per cent of all income tax of the Nation.

New York paid 22.8 per cent of all corporation tax paid by "manufacturing," while Pennsylvania paid but 11 per cent. The same year manufacturing plants and equipment were valued in New York State at \$2,133,897,000, while the same kind of property was valued by the Federal report at \$2,193,873,000 for Pennsylvania. Since New York paid more than twice as much as Pennsylvania on a less valuation, there is no other conclusion to be drawn but that there are manufacturing corporations paying income tax in New York which have no property whatsoever in that State.

In 1921 (last Federal report) manufacturing plants in New York State showed a production of \$6,973,506,000 and those in Pennsylvania a total output of \$5,059,009,000. At the same time the corporations under the head of manufacturing in New York State paid a Federal tax of \$89,131,469, while those of Pennsylvania \$42,992,173. This shows that the industries in Pennsylvania produced 72 per cent as much as New York, while the Federal tax paid was but 48 per cent as large as that of New York. No one would accuse Uncle Sam of letting Pennsylvania pay a less proportionate share than New York; hence the only conclusion to be drawn is again to assert that manufacturing corporations pay taxes in New York which have their property in other States.

Then, again, railroads and equipment in New York State have a value of \$1,479,682,000, and street railways, shipping, waterworks, etc., are valued at \$2,594,070,000, making a total for transportation and other utilities of \$4,073,752,000. Pennsylvania for the same items has a value on railroads and equipment of \$1,902,737,000 (exceeding that of New York) and \$1,268,165,000 on street railways, shipping, etc., making a total of \$3,170,902,000. These properties in New York paid an income tax of \$40,459,465, while Pennsylvania paid but \$9,920,949. At the valuation rate Pennsylvania should have paid around thirty million. Some one might suggest that many Pennsylvania corporations failed to show a net income, hence their income tax was below normal. The facts are, however, that a larger percentage of corporations in New York failed to show a net income than in Pennsylvania. There is, therefore, but one answer to this situation, namely, that there are transportation corporations paying an income tax in New York which have no property there. (See illustration Southern Pacific and Union Pacific Railroads.)

On page 30 of "Statistics of Income" of the Treasury Department (1922), in connection with table showing the net income and taxes paid on personal and corporation income, by States, the Treasury Department gives this word of explanation:

"The amounts do not represent, however, what may be called the geographical distribution of income. The figures are compiled from the returns filed in each State. An individual files his income tax return in the collection district in which his legal residence or principal place of business is located, and a corporation files its income-tax return in the collection district in which its principal place of business or the principal office or agency is located. Consequently income reported by an individual or corporation in one State may have been derived from sources in other States. From the foregoing it will be clear that there is no way of ascertaining from the income-tax returns the amount of income earned in the respective States or the amount of tax paid on that basis."

WHO OWNS THE NEW YORK CORPORATIONS AND WHERE IS THEIR PROPERTY?

It is naturally an impossible task to find the ownership of the corporations listed to pay income tax in New York, for while there were, according to the last Federal report, 35,504 corporations which paid an income tax, there were also 29,358 which, through making certain deductions, were relieved from paying an income tax. Therefore to list this number of corporations—64,862—as to who controls them, where their property really exists, and who enables them to make a profit so they can pay an income tax, shall not be attempted.

Surely a reasonable number of illustrations will serve to prove the statement that residents of New York are not the sole owners of many of the corporations paying an income tax in that State, and in many cases little or none of the property creating the profits is in that State.

UNITED STATES STEEL CORPORATION

The United States Steel Corporation in 1923 paid an income tax of \$16,000,000 in New York. They have 145 plants and warehouses, only 2 of which are located in New York State. They have 153,350 stockholders who really paid this income tax. These stockholders hold residence as follows:

Alabama	1, 678
Arizona	52
Arkansas	38
California	2, 004
Colorado	424
Connecticut	5, 800
Delaware	507
District of Columbia	1, 313
Florida	364
Georgia	344
Idaho	27
Illinois	10, 048
Indiana	2, 406
Iowa	341
Kansas	137
Kentucky	1, 205
Louisiana	325
Maine	1, 234
Maryland	1, 493
Massachusetts	11, 100
Michigan	3, 279
Minnesota	4, 412
Mississippi	122
Missouri	1, 347
Montana	83
Nebraska	168
Nevada	20
New Hampshire	1, 835
New Jersey	6, 495
New Mexico	35
New York	32, 322
North Carolina	348
North Dakota	22
Ohio	9, 574
Oklahoma	84
Oregon	173
Pennsylvania	41, 917
Rhode Island	1, 385
South Carolina	103
South Dakota	37
Tennessee	457
Texas	215
Utah	76
Vermont	986
Virginia	780
Washington	239
West Virginia	2, 057
Wisconsin	1, 112
Wyoming	20
Alaska	8
Canal Zone	18
Hawaii	21
Philippine Islands	9
Porto Rico	25
Foreign	2, 716
Total	153, 350

Attention is called to the fact that there are more stockholders of this company living in Pennsylvania than in New York.

THE BANKS

It is well known that New York is our financial center, and we must have financial centers.

On May 15, 1925, the statement of the United States Treasury Department showed that while the deposits in the New York City national banks totaled \$2,218,027,000, a study of this statement shows that 38 per cent of those deposits were from banks and trust companies outside of New York State.

RAILROADS

Probably the most flagrant examples of the railroad situation are the Union Pacific and Southern Pacific. The Union Pacific in 1923 paid an income tax in New York of \$4,500,000, and yet this road does not operate east of Omaha and Kansas City—half the length of the continent from New York State.

The Southern Pacific paid a tax of \$5,000,000, and this road does not run any nearer New York than New Orleans.

No attempt will be made to give the list of stockholders of these two railroads, but it is common knowledge that they live in many States.

JUST A FEW MORE EXAMPLES

There are over 64,800 corporations making reports to the Federal Government through New York State. Here are 24 examples, in addition to the ones previously mentioned—hardly a drop in the bucket—with whose names you are more or less familiar. The mention of them immediately makes you realize how they permeate so many activities of the business life of the Nation. They do not know State lines. Transportation has enabled them to carry their products to the remotest hamlet. Only 24—and yet their paid-up capital stock is \$2,380,242,000, and their net income last year—after paying their income tax—was \$376,955,787, or 15.8 per cent. This statement of capital stock and net profit is merely shown to indicate what enormous proof would pile up if a larger list of the 64,850 other corporations in New York were tabulated. These 24 corporations with that of the United States Steel before referred to have a paid-up capital stock greater than the entire wealth of Colorado, or Florida, or South Carolina, or Maine, or Arkansas, or South Dakota. It is also greater than the entire wealth of Delaware and Arizona combined, Idaho and Vermont, Mississippi and Nevada, New Hampshire and Wyoming, Rhode Island and New Mexico and Montana and Utah thrown in for good measure.

Here is the list. Unless otherwise stated, the net income given is for the year 1924. Remember that the Federal corporation tax has been paid before net income is tabulated:

American Railway Express; net income, \$2,950,000; operates in every State.

American Beet Sugar Co.; net income, \$1,515,972.

American Can Co.; net income, \$15,423,202.

American Locomotive Co.; stockholders in many States total 11,754; plants in New York, Virginia, New Jersey, Pennsylvania, and Canada; net income, \$12,462,563.

American Radiator Co.; net income, \$9,908,217.

American Smelting & Refining Co.; stockholders in every State total 12,807; plants in Colorado, Utah, Washington, California, Montana, Texas, Arizona, Maryland, Illinois, Nebraska, Oklahoma, New Jersey, also Mexico and South America; net income, \$22,471,506.

American Sugar Refining Co.; stockholders in every State total 25,747; group of Northeastern States has more stockholders than group in which New York is classed; plants are located at Boston, Brooklyn, Philadelphia, Baltimore, and Chalmette, La.; also owns stock in beet-sugar plants in California, Michigan, Iowa, and Ohio; net income, \$8,557,724.

American Telephone & Telegraph Co.; stockholders in every State in the Union total 358,273; companies extending through the entire United States; net income, \$144,954,889.

American Tobacco Co.; net income, \$17,952,545.

Anaconda Copper Mining Co.; plants in Montana and Wyoming; net income, \$18,589,971.

Buckeye Pipe Line Co.; pipe lines in Ohio; net income, \$1,041,571.

Indiana Pipe Line Co.; pipe lines in Indiana; net income, \$965,945.

National Biscuit Co.; net income, \$12,092,828.

National Lead Co.; plants, 49 in various States; net income, \$5,296,413.

Nevada Consolidated Copper Co.; mines and plants all in Nevada; stockholders in several States; net income, \$2,620,797.

Pan American Petroleum & Transport Co.; no property in New York; net income, \$13,011,215.

Postum Cereal Co.; plants at Battle Creek, Mich., and Windsor, Canada; stockholders in every State total 1,500; net income, \$2,881,466.

Sinclair Consolidated Oil Corporation; stockholders, over 41,000 living in every State; has refineries, terminals, bulk stations, or service stations in nearly every State east of the Rocky Mountains; pipeline companies, Texas, Kansas, Oklahoma, Missouri, and Illinois; net income, \$29,737,887.

Tobacco Products Corporation; controls United Cigars Stores Co. and factories in Virginia; net income, \$4,529,556.

Union Tank Car Co.; net income, \$1,101,717.

Utah Copper Co.; 867,613 acres in Utah; owns Nevada Consolidated; majority of stockholders live in New York; net income, \$12,140,261.

Utah Securities Corporation; electric power, light, and gas business in Utah, Idaho, and Colorado; net income, \$135,606.

Woolworth Co.; stockholders in every State; stores, 1,356; net income, \$20,698,180.

Western Union Telegraph Co.; stockholders in every State, 26,138; maintains over 25,000 offices throughout the country, has over 1,500,000 miles of wire; net income, \$15,915,756.

THE OTHER SIDE OF THE PICTURE

Before concluding it is well that we take a glance at the other side of the picture. Parties who have been protesting that their State is being assessed by the Federal Government to give funds to some far-distant State seem to forget that it is the natural resources of that far-distant State which enable her citizens to sit in their smug complacency. Mines of Nevada, Utah, Montana, and Colorado are emptied

of their wealth, never to be reimbursed, and the profits go to residents of other States.

Insurance—fire, life, and casualty—are much-needed parts of our business life—yet New York, Hartford, and Baltimore are foolish to lay claim to the prosperity of these institutions.

Boston is the center of our wool market, and yet the Boston Common can not take the place of New Mexico, Arizona, and Utah as a sheep pasture.

Knowing that all manufacturing in Montana last year paid out over \$21,000,000 in wages and salaries alone, it is astounding to note that manufacturing of metals and metal products for the entire State paid an income of but \$17.

BUSINESS CENTERS NOT STATE OWNED

Centralization of business in certain centers is a natural growth and economically sound. Surplus funds gravitate to certain cities; industries develop where power is cheapest or raw material nearest at hand. Water transportation can not be developed around a desert town. Fertility of the soil is not the gauge of land values. The Federal Constitution, at the beginning, refused to curb domestic business relations and would not allow States to set up toll gates at State lines.

States do not own the corporations or the individuals in their business relations. There is not a single large city in the entire country which secures its prosperity exclusively from the citizens who live in the same State in which that city is located. The poorest State helps to enrich the richest State.

That is a false theory which makes the claim that States contribute to the Federal Treasury. Federal funds should go for Federal needs, collected from all who have, and expended so that all may have again.

Mr. ODDIE. Mr. President, while the population and assessable property of the State of Nevada are small compared to some of the other States, it has done great things for this Nation. There are numbers of millionaires in New York, Pennsylvania, and other States—useful, great men in the business and financial world—who had their start and made their fortunes in the State of Nevada. Numbers of the greatest industries in the United States had their start in and were financed from money that the mines in the State of Nevada produced. I feel that people in the large Eastern States should be a little more fair to certain Western States which happen to be down in the scale in population and assessable property. These Western States have their place in this Union; and the people from them who have had to struggle for existence while building up our great West are entitled to more consideration than they have been getting.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. ODDIE. I yield.

Mr. COPELAND. I know the Senator wants to be fair. I have no disposition to stand out against the State of Nevada or any other State; and, indeed, I recognize that the building of good roads in Nevada and every other State is an advantage to my State. I think it makes possible the transportation of foodstuffs and building materials and other things that we need; I think it cheapens those products; but that is not the question. The question is, How can we make use of these funds in a legal way? That is what I should like to have the Senator from Nevada present to us. How can we save our consciences so that we can vote the money that his State needs?

So far as my State is concerned, even though we pay 27 per cent of all the taxes of the United States and furnish these funds in proportion, I am sure the people of my State are so liberal in their disposition that they would be glad to do it, and particularly, I may say to the Senator from Nevada, in view of his statement that most of that money comes from outside, anyhow, so it is not our money that we are giving away; but that is not the question, after all. It is, How are we going to vote this money and do it in a constitutional and legal way? That is the thing which presents itself to my conscience.

Mr. ODDIE. It has been done for a number of years, as I have stated, and I believe it is constitutional, and its constitutionality never has been questioned.

There are several angles to this problem. One is that of military preparedness. I believe it is as important for us to have a good system of transcontinental highways from coast to coast in this country as it is to have railroads from coast to coast. We know what subsidies were granted to the railroads that were built across this continent years ago. Millions and millions of acres of land were donated to them by the Government. Every alternate section for 20 miles on each side of the main lines was granted them. The constitutionality of that was not questioned. We must keep on developing our country. We can not stand still. We see that a revolution has come in transportation. We see that the automobile and the autotruck have come to stay. They are a very large part of our economic unit to-day, and we must furnish highways for

them. We must prepare for emergencies in a military way. I do not believe in preaching calamity. I hope and trust we will never have another war; but if we ever do, if we have this system of highways which are being completed to-day, we will be in far better condition than we otherwise would be.

Mr. President, I hope hereafter this question will receive the fair consideration to which it is entitled.

WAR DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8917) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Barracks and quarters," on page 28, line 2, after the word "tents," to strike out "\$3,324,812" and insert "\$3,334,812," so as to read:

For construction, repair, and rental of barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, garages, reclamation plants, and other buildings necessary for the shelter of the Army and its property, including retired officers and enlisted men when ordered to active duty; for rental of grounds for military purposes, of recruiting stations, and of lodgings for recruits and applicants for enlistment; for repair of such furniture for Government-owned officers' quarters and officers' messes as may be approved by the Secretary of War; for wall lockers, refrigerators, screen doors, window screens, storm doors and sash, window shades, and flooring and framing for tents, \$3,334,812, and in addition the sum of \$425,000 from the unexpended balance of the appropriation for "Inland and port storage and shipping facilities" is hereby reappropriated and made available for the purposes enumerated in this paragraph.

The amendment was agreed to.

The next amendment was, on page 28, line 12, after the word "condition," to insert a colon and the following additional proviso:

Provided further, That \$5,000, or so much thereof as may be necessary, of the sum herein appropriated shall be expended for the repair of the old building known as the "Castle" at Fort Niagara, N. Y.

Mr. COPELAND. Mr. President, may I ask my colleague whether this amendment makes provision for the improvement of Fort Niagara?

Mr. WADSWORTH. It makes provision, just as it states, for the repair of that historic old building, which was built in 1725 and which the Government has allowed almost to go to pieces.

Mr. COPELAND. I am very glad, indeed. I congratulate my colleague that this provision is made. It is a very just appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 29, line 18, after the word "employees," to strike out "\$2,380,196" and insert "\$2,384,886," so as to read:

Water and sewers at military posts: For procuring and introducing water to buildings and premises at military posts and stations; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repair of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto; for repairs to water and sewer systems and plumbing; and for hire of employees, \$2,384,886: *Provided*, That not to exceed \$50,000 of this appropriation shall be expended for new construction work.

The amendment was agreed to.

The next amendment was, under the subhead "Roads, walks, wharves, and drainage," on page 30, line 1, after the word "stations," to strike out "\$709,381" and insert "\$709,431," so as to read:

For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, \$709,431.

The amendment was agreed to.

The next amendment was, under the subhead "Shooting galleries and ranges," on page 30, at the end of line 14, to strike out "\$30,000" and insert "\$30,475," so as to read:

For shelter, grounds, observation towers, shooting galleries, ranges for small-arms target practice, machine-gun practice, field, mobile,

and railway artillery practice, repairs, and expenses incident thereto, including flour for paste for marking targets, hire of employees, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, \$30,475.

The amendment was agreed to.

The next amendment was, under the subhead "Signal Corps, Signal Service of the Army," on page 34, line 22, after the word "required," to strike out "\$1,908,522" and insert "\$1,908,767," so as to read:

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signalling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signalling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the Office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; tuition, laboratory fees, etc., for Signal Corps officers detailed to civilian technical schools for the purpose of pursuing technical courses of instruction along Signal Corps lines; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$1,908,767.

The amendment was agreed to.

The next amendment was, under the subhead "Air Service, Army," on page 38, line 2, after the word "equipment," to strike out "for the services of such consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary," and insert: "for the services of not more than four consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding 50 days each and necessary traveling expenses, including a per diem not to exceed \$4 in lieu of subsistence: *Provided*, That amounts heretofore paid or obligated for such services and expenses are hereby authorized and validated," so as to read:

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas and sewerage, including maintenance, operation, and repair of such utilities at such plants; for the procurement of helium gas; salaries and wages of civilian employees as may be necessary, and payment

of their traveling and other necessary expenses as authorized by existing law; transportation of materials in connection with consolidation of Air Service activities; experimental investigation and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patent, licenses under letters patent and applications for letters patent; for the purchase, manufacture, and construction of airships, balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding 50 days each and necessary traveling expenses, including a per diem not to exceed \$4 in lieu of subsistence: *Provided*, That amounts heretofore paid or obligated for such services and expenses are hereby authorized and validated, including necessary traveling expenses; purchase of special apparatus and appliances, repairs and replacements of same used in connection with special scientific medical research in the Air Service; for maintenance and operation of such Air Service printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, \$15,050,000.

Mr. McKELLAR. Mr. President, will the Senator from New York please explain that provision?

Mr. WADSWORTH. Yes; Mr. President.

For some few years the Chief of the Air Service of the Army has been accustomed to employ upon a per diem basis, for a few days in each year, two or three very eminent specialists and scientists to assist him and his subordinates in solving certain scientific problems presented to the Air Service from time to time. To these gentlemen, who stand very high in the scientific world, General Patrick, the Chief of the Air Service, has been paying, upon occasion only, all the way from \$25 to \$60 per day. The Comptroller General has questioned, and indeed denied, the right of the Chief of the Air Service or the War Department to pay any person a per diem compensation in excess of the amount which that person could get per day under the highest rating permitted under the reclassification act, which is \$7,500 a year.

This matter was presented to the committee; and the committee was persuaded that with certain strict limitations as to the number of days in the year that the Chief of the Air Service should be permitted to employ these persons, and with the per diem limited it was to the advantage of the Government to permit the employment of these persons from time to time. The committee believed also, in view of the fact that the War Department has been doing this in perfectly good faith until recently prohibited by a ruling of the Comptroller General, that it was only fair and just to validate the payments heretofore made.

Mr. McKELLAR. The statement of the Senator is entirely satisfactory. I think the amendment ought to be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

AMERICAN OCCUPATION OF HAITI

Mr. KING. Mr. President, I send to the desk and ask to have read a memorandum of Mr. Perceval Thoby, former Haitian chargé d'affaires at Washington, and who represents the 61 committees of private citizens, residents of Haiti, who are members of what is called "the Patriotic Union" of Haiti. I have heretofore had occasion to criticize the course of the United States in continuing to occupy Haiti with military forces and in maintaining control of the Government and assuming political authority over the entire Haitian state.

Soon after the occupation of Haiti by our military forces we prepared a constitution which materially changed the constitution under which the Haitian people were living and by which they were being governed. This new constitution, formulated under the direction of Americans, superseded the Haitian constitution and was superimposed upon them under conditions which I regard as without justification. They did not want the constitution which we prepared, nor have they been willing that the United States should occupy their coun-

try and govern and control the people as it has done from 1915 until the present hour. They object to the change in the constitution which permits foreigners to acquire title to lands in Haiti. The Haitian constitution prevented the acquisition of Haitian soil by aliens. The Haitian people knew that if their lands were open to exploitation by foreign capital, and aliens could acquire title to the same, within a comparatively short time the Haitian people would be mere tenants and the valuable lands of their country would be in the hands of foreign landlords.

Mr. President, Americans as well as other aliens, since the change in the constitution, have acquired valuable holdings in Haiti, and thousands of Haitians have left the land of their birth and gone to Cuba and surrounding countries. The Haitian people do not want us to govern them. They do not desire American marines to occupy their country. They resent the sending of a governor general who possesses the power exercised by General Russell, and also the practical control of their political and internal affairs by alien officeholders. The fact is that Haiti is governed by American officials and the military forces of the United States.

I have had occasion to refer to the conflicts between our armed forces and the Haitian people, as a result of which more than 3,000 Haitians have been killed. In my opinion we are not justified in pursuing the course which is now followed by our Government, and we can not defend the further occupancy of Haiti by the military forces of the United States. In my opinion it is against the interests of the Haitian people and contrary to the spirit of our institutions.

I ask that this protest and this memorandum, which recites the facts and conditions, as Mr. Thoby understands them to be, may be read for the information of the Senate and the American people.

The PRESIDING OFFICER. Is there objection?

Mr. KING. In my time.

The PRESIDING OFFICER. The Chair understands that no document of this kind can be read if there is objection without a vote of the Senate under Rule XI. Is there objection?

Mr. WADSWORTH. May I ask how long the article is?

Mr. KING. It will take probably 5 to 10 minutes to read it. If not read, I shall have to read it myself. The Secretary can read it much better than I can.

The PRESIDING OFFICER. Without objection, the Secretary will read the paper.

The paper was read by the legislative clerk.

Mr. KING obtained the floor.

Mr. WADSWORTH. Mr. President, will the Senator from Utah submit to a brief inquiry in regard to this article?

Mr. KING. Certainly.

Mr. WADSWORTH. I did not hear the clerk when he read the name of the author of the paper.

Mr. KING. Perceval Thoby.

Mr. WADSWORTH. May I ask if the Senator stands sponsor for all the statements made in the article?

Mr. KING. I stand sponsor for many of the statements.

Mr. WADSWORTH. But not all?

Mr. KING. So far as I am advised, many of them. That is, from my study of conditions in Haiti and also from information obtained from persons who have visited that country and are familiar with the situation there, it is my opinion that many of the statements are justified.

Mr. WADSWORTH. I would be interested to know just how far the Senator cares to be responsible for the statements made in that article.

Mr. KING. I stand sponsor, as I understand the spirit of the word, for the statement—that is, the implication—that the United States has superimposed upon Haiti a government which the people do not want; that the United States compelled the abrogation of the constitution which had been in force for many years and forced upon the Haitian people another constitution, under which aliens are permitted to acquire real property in Haiti, contrary to the provisions of the superseded constitution; also the statement which, in effect, is that General Russell is practically the dictator and the ruler of Haiti, backed by the marines of the United States; also the statement that hundreds, if not thousands, of the Haitians are leaving Haiti because of the conditions there prevailing, largely due to the occupation by the United States of their country; also the statement that a large area of valuable arable lands of Haiti formerly belonging to Haitians has been acquired by Americans and American interests, in contravention of the constitution by which the Haitians were governed when our naval forces took possession of the Haitian State. And I also approve the statement, or the deductions from the statement, that we have no business in Haiti and should immediately

withdraw our marines and let the Haitian people have a government of their own.

I sponsor the statement that for years the Haitians have not had a constituent assembly or a parliament and that Borno, the so-called president, is the nominal executor, but is under General Russell, who is supported by our marines, and that Borno has a council, the personnel of which he changes whenever any member of the same is not amenable to his slightest suggestion. I do not have the memorandum before me and do not recall all of its provisions now, though I have read it several times. I felt that the Senate of the United States and the American people ought to know just what the Haitian people claim. Mr. Thoby is a lawyer and a man of honor and integrity. At one time he represented Haiti as the chargé d'affaires at Washington. He comes here representing the Haitian people so far as they are permitted to speak for themselves. This is his statement of conditions in Haiti and of the relation of our Government to the Haitian people. I think he presents a sad and tragic picture. Tomorrow I may offer a resolution calling attention to this statement and to other matters and if so shall ask that an investigation be made by the Committee on Foreign Relations of conditions in Haiti.

Mr. ODDIE. Mr. President, I can not agree with all the statements contained in the article just read at the desk or with the conclusions of the able Senator from Utah. I am familiar with conditions in Haiti, having made quite a study of them for several years past. Four years ago I was a member of the committee which investigated conditions and spent a number of weeks there. We had hearings all over the island and found that a certain damaging propaganda regarding our occupation had been sent all over the country and had done great harm. It meant an indictment of our Navy and of our Marine Corps and of American fairness and justice.

The Haitian people are a good people. They are kind and law-abiding. We have no intention of territorial acquisition in our occupation.

Mr. REED of Missouri. Just what are we doing there? What business have we there?

Mr. ODDIE. Since 1915 we have been occupying Haiti with our Navy and Marine Corps and assisting those people in getting back on a stable basis.

Mr. REED of Missouri. Under what pretext have we been there since 1915?

Mr. ODDIE. In 1915 a revolution broke out, following the massacre of the President of Haiti, and things were in turmoil. The people for years had been in revolution, one following another almost every year, and there was distress throughout the island. Admiral Caperton, under instructions from our Government, landed marines and took possession in 1915, and we have been administering the government to a very large extent ever since by lending a helping hand and giving protection to those people who needed help.

Mr. REED of Missouri. We took possession under what claim of right? That is what I want to ascertain.

Mr. ODDIE. Protection of American property and American people.

Mr. REED of Missouri. That is to say, we did not go in to benefit the Haitian people? That was not our claim of right?

Mr. ODDIE. That was not the original intention.

Mr. REED of Missouri. We could not make that claim of right because they had the right to live as they pleased under our theory, but we said there were some Americans who had invested their money and we would go in there and protect their property. That is our claim of right. What right have we to stay there and take possession of their Government and control it?

Mr. ODDIE. Under the treaty of December 16, 1915.

Mr. REED of Missouri. That was entered into after we had taken possession?

Mr. ODDIE. Yes.

Mr. REED of Missouri. And it was negotiated under American bayonets, I suppose?

Mr. ODDIE. That is rather stretching the point. I can hardly agree with my friend from Missouri in that statement, although America had to assert its right and its strength in dealing with the difficult and revolutionary conditions that existed there.

Mr. REED of Missouri. What American property was down there?

Mr. ODDIE. Money had been loaned by Americans for building railroads and various industries and to American citizens there.

Mr. REED of Missouri. Is it the Senator's theory that if American capitalists go down into a semibarbarous country and loan their money and there is a revolution in that country,

It is then our duty to send our Army and our Navy down there and keep them there and hold the country in subjection?

Mr. ODDIE. At the time our forces were landed armed forces from other nations had landed for the purpose of taking possession, and we have a doctrine in this country which had to be maintained.

Mr. WADSWORTH. Mr. President, will the Senator from Nevada permit me to remind the Senator from Missouri of the incident that occurred which led to the landing of our marines?

Mr. REED of Missouri. I would be glad to know.

Mr. WADSWORTH. I undertake to remind him, because I have heard him on this floor urge very eloquently that the United States should acquire the West Indian Islands for our protection.

Mr. REED of Missouri. That is all right; that is a different thing.

Mr. WADSWORTH. The Senator may remember that as a result of a series of the most bloodthirsty revolutions the West Indies has ever known, the President of Haiti was hounded from his office and in terror took refuge in the French Legation in Haiti in the city of Port au Prince. The mob smashed the gate of the compound, invaded the house, and dragged the President of Haiti out from the French Legation into the yard and literally tore his body up into little pieces and threw it over the fence. The insult to France, of course, was apparent, and a very grave situation arose upon that instant. There could not be the slightest doubt that the French Government would make a very emphatic protest and would take immediate action.

It so happened, as I recollect it, that one of our gunboats was in the neighborhood or cruising in Haitian waters at that time, and, hearing of this atrocious occurrence, proceeded immediately to the city, landed its marines in order that—I assume this was the reason, and if it is I stand for it for one—if any nation was to straighten out the tangle in Haiti and stop a repetition of things like that, it should be the United States rather than a European power. That is the way we went into Haiti originally.

Mr. REED of Missouri. All right. Let us say it is a good pretense. How many years ago was that?

Mr. WADSWORTH. The Senator knows. It was 1915.

Mr. REED of Missouri. And we are still there. It is a very different reason from that given by the distinguished Senator from Nevada, who has the floor and who said that we went there to protect American property.

Mr. WADSWORTH. I think I am reasonably correct, am I not?

Mr. ODDIE. Yes; the Senator is correct.

Mr. WADSWORTH. In other words, we did not seek deliberately to intervene in Haitian affairs. In a very true sense it was forced upon us by that occurrence.

Mr. REED of Missouri. That incident was the reason for landing in Haiti to straighten out that matter, because it is, I frankly state, much better for the United States to have gone in than for France to have gone in. But between going in for a purpose of that kind and staying in and keeping possession of the country, there is all the difference in the world. I think the two questions are entirely disassociated unless we are going to assume that it is our business to take those islands and establish a government and keep them. If so, let us say so and do it frankly and openly and establish a decent government and not a bayonet government.

Mr. KING. Mr. President, will the Senator yield?

Mr. ODDIE. Certainly.

Mr. KING. I did not hear all of the statement made by the Senator from New York [Mr. WADSWORTH], as I was called from the Chamber, and if I misinterpret what he stated I shall be glad to be corrected. I only heard his concluding sentences referring to the occupation by the United States and also his charge that the then President of Haiti was cruel and despotic.

Mr. WADSWORTH. So had they all been before him.

Mr. KING. We will take care of that indictment when it is presented.

Mr. WADSWORTH. May I ask the Senator—

Mr. KING. One question at a time, please. We will attempt to dispose of them to the satisfaction of the Senator from New York.

The President of Haiti had arrested or there had been arrested and imprisoned a number of the best citizens of Haiti. No one can justify the conduct of the then President of Haiti. Pursuant to his orders these citizens were killed while in prison. That so infuriated the populace, including some of the relatives of those who were killed, that they broke into the palace—and that part of the Senator's statement I

heard. The President fled and took refuge in a French building. I am not sure whether it was the legation or not.

Mr. WADSWORTH. It was the French Legation, where the minister lived.

Mr. KING. They dragged him from the building and killed him. We can not, of course, condone the offense which was committed by the Haitian people. A tyrant had ruled over them, and after he had butchered a number of Haitian citizens, the people took revenge upon him. We can not justify, of course, either his course or the acts of the people. These cruel deeds call for condemnation.

But the question propounded by the Senator from Missouri is entirely pertinent. These crimes have nothing to do with our continued occupation of Haiti and the control of their political affairs. May I say to the Senator from Nevada, although I have not the record before me and have not read it for three years, that I think he will search in vain the record to which he refers, and which was made when he and I were members of a committee charged to investigate conditions in Haiti, for evidence in support of his statement that the reason ascribed for the military occupation of Haiti was that American interests were jeopardized. As I recall, it was claimed by some American citizens, as well as some nationals of the allied nations, that Germany contemplated utilizing Haitian ports as submarine bases. Undoubtedly such statements or rumors influenced, more or less, some officials of our country. It is my recollection that one of the reasons for sending Admiral Caperton to Haiti was to guard against the possibility of the Germans, or for that matter the Allies, from taking possession of any Haitian ports. The admiral landed marines at Port au Prince and assumed control over the Haitian state and took charge of the Government. From that day until this we have not relinquished our stronghold upon Haiti.

The treaty to which the Senator has referred was negotiated after we had taken possession of the Government and had placed in authority men who would be subservient to the will of the United States.

I submit that the treaty was not in the true sense the voluntary act of the Haitian people.

Mr. ODDIE. Mr. President—

Mr. WADSWORTH. Mr. President, will the Senator from Utah permit a question from me?

The PRESIDING OFFICER. Does the Senator from Nevada yield for that purpose?

Mr. ODDIE. Yes.

Mr. WADSWORTH. May I ask if the article or petition or memorial is signed by a foreigner?

Mr. KING. It is signed by a foreigner.

Mr. WADSWORTH. I desire to call attention to the rule of the Senate in that respect. Paragraph 5 of Rule VII provides:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

Mr. KING. It is not a memorial or a petition.

Mr. WADSWORTH. But it is a paper.

Mr. KING. It is a paper.

Mr. WADSWORTH. Mr. President, I raise the point of order that the reception of that article by the Senate is out of order, and, if that point shall be sustained by the Chair and ultimately by the Senate, I shall ask that the article be stricken from the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The Chair will rule that the point of order is well taken.

Mr. KING. I want to be heard before the Chair rules.

Mr. ODDIE. Mr. President, may I ask the Senator to yield for a moment?

Mr. KING. Certainly.

Mr. ODDIE. I desire to make an observation. Germany had landed her troops at that time. The record shows that.

Mr. KING. Mr. President, the immediate question before the Senate is the point of order, raised by the Senator from New York. The interpretation placed upon the rule seems to me most remarkable. The rule relates to "petitions" or "memorials" addressed to the Senate by aliens. The paper before the Senate is not a "petition" or a "memorial." It is a memorandum containing certain statements as to the political, industrial, and social conditions existing in Haiti, and the effect which the policy of the United States in dealing with the Haitian people has had upon those conditions. It is not addressed to the Senate—and is here only because I brought it here. I am not offering it as a petition or memorial—but only as a statement of the views of many people as to the matters referred to therein. The words quoted by the Senator from New York "or any other paper" are tied to the preced-

ing words—"petition" or "memorial"—and are kin to them and mean that the "other paper" must be of the nature of a petition or memorial.

Mr. President, it is a novel decision that a Senator may not read or have read something written by a citizen of a foreign country as a part of his remarks. The practice is common in the Senate.

But, Mr. President, let us look at the question from a broader standpoint. Haiti is under the control of the United States; it is deprived of a portion at least of its sovereignty by the United States, who have sent a governor general and military forces to control a foreign country and its people. I challenge the Senator from New York [Mr. WADSWORTH] or any other Senator to declare that when the United States take possession of a country and direct its political affairs and control its government and for that purpose maintain its armies and navies in such country, that a citizen of the latter may not address a respectful communication to an American Senator or to an American newspaper by way of protest against such foreign occupation, and that if such communication was made that it could not be read by a Senator upon the floor of the Senate. I say, with all due respect to the present occupant of the chair, that his interpretation placed upon the rule is unjust and not within the letter or the spirit of the rule.

This is not a communication addressed by a foreigner to the Senate of the United States; this is a memorandum which a representative of certain Haitian citizens handed to me. I present it here as a part of my remarks and ask that it may be read. Obviously I could read it as a part of my remarks.

But a word further on the point referred to a moment ago. Can it be said that we may take possession by force of a country, retain such possession by military authority and power, and that none of the inhabitants of the subjugated people may speak out in protest against our conduct, and that a Senator of the United States may not challenge attention to what he conceives to be the illegal or unconstitutional act of his country, and may not fortify his statement by reading from the written words of a citizen of such country?

To repeat: The memorandum or a "paper," such as is meant by the rule, is not a petition addressed to the Senate of the United States; it is a memorandum which was handed to me. I asked that it be read by the clerk. Consent was given to its being read, and even if it was a petition, it is now too late to object. I ask that it may be considered as part of my remarks. I submit, with all due respect to the Chair, that in his ruling the Chair is in error.

The PRESIDING OFFICER. The Chair will call the attention of the Senate to the fact that the rule reads:

But no . . . other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

Mr. KING. I will strike out the signature and present the paper as a part of my remarks. I will state now that that document was written by Mr. Perceval Thoby, a respectable lawyer in Haiti, and former charge d'affaires of that country to the United States when Haiti was free and when it was not under the domination of the United States.

Mr. REED of Missouri. What is the number of the rule which has been cited?

Mr. WADSWORTH. It is Rule VII.

The PRESIDING OFFICER. It is paragraph 5 of Rule VII; the last clause of that paragraph. The Chair has ruled that the point of order made by the Senator from New York [Mr. WADSWORTH] is well taken.

Mr. REED of Missouri. Mr. President, the Chair having ruled on this question, perhaps it is just as well to appeal from the decision of the Chair and have the matter settled by a vote of the Senate. I have not the slightest doubt that the rule recited has no application whatever to this case. If the Chair regards his ruling as final, there is no use of arguing with the distinguished Senator who is in the chair.

The PRESIDING OFFICER. Does the Chair understand that the Senator from Missouri appeals from the ruling of the Chair?

Mr. REED of Missouri. I appeal from the ruling of the Chair, and I raise the question of a quorum, Mr. President.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bingham	Ferris	Heflin	La Follette
Braley	Fletcher	Howell	Lenroot
Brookhart	Frazier	Johnson	McKellar
Capper	George	Jones, Wash.	McMaster
Copeland	Goff	Kendrick	Metcalf
Couzens	Gooding	King	Nye

Oddie
Overman
Pepper
Reed, Mo.

Schall
Sheppard
Shipstead
Smith

Standfield
Wadsworth
Walsh
Warren

Williams
Willis

The PRESIDING OFFICER. Thirty-eight Senators having answered to their names, a quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. CAMERON, Mr. CARAWAY, Mr. HARRIS, Mr. PHIPPS, Mr. RANDELL, Mr. SIMMONS, Mr. TRAMMELL, and Mr. WHEELER answered to their names when called.

Mr. BLEASE, Mr. BORAH, Mr. DILL, Mr. EDGE, Mr. HALE, Mr. HARRELL, Mr. MAYFIELD, Mr. McNARY, Mr. NORRIS, Mr. PINE, and Mr. SMOOT entered the Chamber and answered to their names.

Mr. BRATTON. I desire to announce that the senior Senator from New Mexico [Mr. JONES] is absent on account of illness.

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, there is a quorum present.

Mr. FLETCHER. Mr. President, without meaning to concur at all in the views expressed by the Senator from Utah [Mr. KING] with reference to blame attaching to the United States for being in Haiti, and without indorsing the statements made in this memorandum, I desire to submit just a word in opposition to the ruling of the Chair. I think the Chair is in error in ruling in accordance with the point raised by the Senator from New York [Mr. WADSWORTH].

I was in Haiti and Port au Prince in 1916 as a member of the Joint International High Commission on its way to Buenos Aires, and I saw the situation there, and I ascertained some of the facts with reference to our landing at Port au Prince about a thousand marines under Admiral Caperton; and I can verify the statements made by the Senator from New York as to what had occurred just prior to that, and the conditions there. The former President had ordered a lot of people taken out of prison and stood up against the wall and shot, and there was a revolution, and they went after the President, and they finally found him in the house occupied by the French Legation. They took him out and they parceled out various portions of his body as souvenirs, and so forth. There was a terrible situation there; and the head of that revolution, exercising all authority and control in the midst of that excitement, was approached when our marines landed, and said he was perfectly willing to cooperate with the Americans in restoring order in the island.

Subsequently this treaty was made, and our occupation has continued. I am not prepared to state but that it was the very best thing that ever could have happened to Haiti; but this point is raised now with reference to the memorandum which has been submitted to the Senate by the Senator from Utah.

I hold, in the first place, that Rule VII, paragraph 5, applies to petitions or memorials or papers in the nature of petitions or memorials. This is not a petition addressed to the Senate or addressed to anybody. It is not praying for some relief, something to be granted the petitioner. It is a memorandum submitted by the Senator from Utah, setting out certain facts and conditions from the standpoint of the author of the memorandum, and is offered as part of his remarks.

The rule says:

Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents and shall be presented and referred without debate.

Of course, that part so far has no reference to this document; but the Chair, I take it, has the impression that the latter part of paragraph 5 does apply to this paper:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received unless the same be transmitted to the Senate by the President.

That, I take it, is the basis of the Chair's ruling; but it must be construed in connection with the other provisions of that paragraph which have to do with petitions or memorials, and a paper such as is referred to in the second part of the paragraph in my judgment must be a paper of that nature or character.

I do not think that any paper signed by any citizen or subject of a foreign country is to be ruled out, not received, or is to be condemned by this rule, unless it be a paper in the nature and character of a petition addressed to the Senate. In that event it comes under the condemnation of the rule; but a mere memorandum or statement furnished to a Senator not addressed to the Senate at all and used by him as a part of his remarks in stating his position with regard to certain

affairs, happening to come from a subject of a foreign country, is not within this rule at all.

Turning to section 19 of Jefferson's Manual you will see at page 251:

A petition prays something. A remonstrance has no prayer.

Petitions must be subscribed by the petitioners unless they are attending—

And so forth; and then:

Regularly, a motion for receiving it must be made and seconded, and a question put, whether it shall be received. But a cry from the House of "Received," or even its silence, dispenses with the formality of this question. It is then to be read at the table and disposed of.

This memorandum has already been received. The point can not be made now, after it has actually been received by the Senate and been read at the desk, that it should not be received. It comes too late. The paper has already been received. The only time when the question could have been raised at all was when it was offered, and the Senator from Utah asked that it be read, and the Chair put the question: "Is there objection?" There was no objection, and it was read. It has been received. It is too late now to raise the point that it can not be received.

Mr. SMOOT. A motion can be made to strike it out.

Mr. FLETCHER. That is another matter; but the objection is under Rule VII, paragraph 5, which applies to its reception only. It takes a motion to strike it out. That is another question. I submit that it has already been received, and that the point of order is not well taken on that ground, as well as the fact that it is not in the nature of petition or a paper such as comes within the contemplation of the rule.

Mr. WADSWORTH. Mr. President, this matter came up rather suddenly; but, suddenly as it did come up, I think it is of a great deal of importance, and I hope the Senate will give it serious consideration.

The Senator from Florida [Mr. FLETCHER] has just discussed paragraph 5 of Rule VII and has placed his interpretation upon it. It is true that the first sentence of paragraph 5, relating to the method of presenting and referring petitions and memorials, uses only the words "petition" and "memorial." The second sentence, however, which relates entirely to the rights of foreigners in this respect, adds to the words "petition or memorial" the words "or other paper."

The men who wrote that rule must have had something in mind when they decided to add the words "or other paper." I take it that it was in their minds that they did not intend to permit any foreigner, no matter by what agency, to insert his ideas in the CONGRESSIONAL RECORD except by unanimous consent of the Senate or suspension of the rule.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Tennessee?

Mr. WADSWORTH. I yield.

Mr. McKELLAR. The Senator will recall that in all of our water-power debates innumerable articles, signed articles, and quite a number of them signed by Canadians, who are foreigners to our system of Government, have been included in the Record in exactly the same way. That has been the uniform custom for many years.

Mr. WADSWORTH. It may be that in the past papers signed by foreigners have been presented and printed in the Record. I do not understand, however, that in any of those cases a protest was made and the rule invoked as I attempted to invoke it this afternoon after I found that this particular paper was signed by a foreigner.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Montana?

Mr. WADSWORTH. I yield.

Mr. WALSH. In the World Court debate I read a letter which I had from the Hon. Max Huber, the president of the Permanent Court of International Justice, a citizen of the Republic of Switzerland. I wrote to him to ask him for some information, and he answered my letter, and I read the letter here in the Senate. Did I offend against the rule?

Mr. KING. Mr. President, before the Senator answers that question, will he pardon me? The Senator will recall that when we were debating the immigration law a year ago, or a little more, the late Senator Lodge read on the floor of the Senate a statement from the Japanese ambassador, or some representative of the Japanese Government, and that was such a powerful argument to some of our friends here that it persuaded many to vote a certain way, when if it had not been for that I am sure they would have voted a different way.

Mr. WADSWORTH. Then, I think, if that is the case, it is unfortunate. I think this rule was framed to stop that kind of influence upon the American Senate and the American people by foreigners.

Mr. KING. The Senator will recall that when we were debating the League of Nations the late lamented Senator Knox read statements, as did Senator Lodge and other Senators, in opposition to the treaty of Versailles, as well as those who were proponents of it, scores of statements, letters, and communications from foreigners with respect to the League of Nations and what its effect would be upon our country and upon the world. No one ever thought of objecting. They were not petitions addressed to the Government or to the Senate. They were communications, sometimes to individuals, sometimes signed articles, and they contained matters which were considered germane to the subject under consideration, and they were read freely in the Senate.

I beg the Senator's pardon for interrupting him.

Mr. WADSWORTH. Mr. President, there is no doubt whatever that letters or papers coming from foreign sources, and signed by foreigners, written by foreigners, have been read here. That does not mean that those incidents were not in violation of this rule. It may be that in most instances it is not profitable or necessary to invoke the rule. I do, however, beg leave to invoke it in this case.

This paper which has been presented here and read, which we learned later was written by a foreigner, is a bitter attack against the United States Government. It sets forth charge after charge against our officials, our servants, affecting at least two administrations of this Government, that of Mr. Wilson and that of Mr. Harding. It makes no difference to me what administration is attacked, whether it is Republican or Democratic; I do not propose to sit here in the Senate and permit a document prepared by a foreigner, attacking the Government of the United States, to be inserted in the CONGRESSIONAL RECORD and distributed over this country, using the RECORD as a funnel through which to pour out charges against ourselves as a Government all over this country, when I believe it is in contravention of this rule, which says that no paper shall be presented coming from a foreigner or a foreign subject.

It may be that in most cases there is no reason to complain, but in this case I believe the rule should be invoked. That is why I have taken that action.

I hold in my hand the Precedents and Decisions on Points of Order, United States Senate, 1789 to 1913, by Gilfray. On page 468 I find this notation:

Thirty-seventh Congress, third session, January 26, 1863.

Mr. Foster presented papers signed by British subjects. Ruled not in order to present communications emanating from citizens of a foreign government.

Mr. REED of Missouri. Mr. President, as I made the appeal, I would like to be permitted to say just a word touching this question. I think when we get the facts clearly in our minds most of the difficulties will be removed.

The facts were that the Senator from Utah [Mr. KING] made some remarks, and then in support of his remarks sent forward a document which he asked to have read, this document which I hold in my hand, and to which I will call attention in a moment. When the reading was concluded the Senator from New York [Mr. WADSWORTH] inquired whether the Senator from Utah stood sponsor for the statements contained in the document. The Senator from Utah stated in substance, without saying that he stood sponsor for every statement made in the document, that he did stand sponsor for certain statements of facts with which he was familiar, and he named a great number; indeed, in a general way, he covered the substance of what is laid down in the document.

After that had been done, and after the Senator from Nevada [Mr. ODDIE] had resumed the floor, the Senator from New York rose and called attention to paragraph 5 of Rule VII, and raised the point of order that that document in question was a petition from a citizen of a foreign government, and could not be received.

Mr. WADSWORTH. I hope the Senator will not say that I used the word "petition."

Mr. REED of Missouri. The paper, the document.

Mr. WADSWORTH. And it was after inquiry of the Senator from Utah if the author was a foreigner.

Mr. REED of Missouri. The point of order was raised after the document in question had been read without any objection or protest. So that presents this sort of a question: Can a Senator have read, as a part of his remarks, a paper which is written and signed by a foreigner? It does not present the question which would come within the rule. The rule is aimed at petitions or papers in the nature of petitions

which come to the Senate for action upon the petition or the paper.

I think that is made very clear if we read a little more of Rule VII.

Mr. ODDIE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. REED of Missouri. It will help so much if I may be permitted to state my position without interruption. Then I will yield for any question.

Rule VII, which lays down the order of proceedings for morning business, provides that—

The Presiding Officer shall then call for, in the following order: The presentation of petitions and memorials.

That means petitions to the Senate for action, and memorials to the Senate for action upon those documents.

Again it is provided:

It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee—

And so forth.

Then, in paragraph 4, it is provided that—

Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.

So that what is contemplated is a document of such a nature as can be referred to some one of the committees for action upon it.

Then we come to paragraph 5, the one in question:

Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

6. That only a brief statement of the contents, as provided for in Rule VII, paragraph 5, of such communications as are presented under the order of business, "Presentation of petitions and memorials," shall be printed in the CONGRESSIONAL RECORD; and that no other portion of such communications shall be inserted in the RECORD unless specifically so ordered by vote of the Senate—

And so forth.

What are we talking about and dealing with in that language? It seems to me that it is perfectly plain. We are dealing with that class of petitions which citizens of this country, or bodies of this country, might send here, addressed to the Senate, asking the Senate for action, and they can be called petitions, memorials, or other papers, and that clause occurs in several places. They are to be referred without debate. But such petition can not be sent here by a foreign country, or by a citizen of a foreign country, unless it is sent by the President to this body for the official action of this body, which is contemplated.

But who has ever heard the claim that a Senator of the United States can not introduce, as a part of his remarks, any kind of a paper he sees fit to introduce, coming from any source whatsoever, he, of course, having to take the responsibility of introducing nothing that is treasonable, or indecent, or offensive to public morals and good taste.

Mr. President, according to the contention now being made, if it came to a Senator's knowledge that a foreign country was massing troops, putting them aboard its ships, and preparing to attack this country, if that were communicated to him by a cable message or a letter signed by a foreigner, he could not stand on the floor of the Senate and warn us of the danger to our country, and produce in evidence that document, because it would be signed by a foreigner. He could not read the newspaper comments of other countries, he could not even read a declaration of war that had been made against us, or the order to a military commander.

Mr. HEFLIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Alabama?

Mr. REED of Missouri. We could only receive that if the President saw fit to send it to us. I yield.

Mr. HEFLIN. In a case of that sort an executive session of the Senate could be ordered, and the matter could be presented to Senators when the public would not be present.

Mr. REED of Missouri. No; in a case of that sort the document would still be barred by this construction of the rule, because it would come from a foreign source.

Mr. HEFLIN. Unanimous consent could probably be obtained.

Mr. REED of Missouri. It might be; but is it necessary to have any such situation as that?

I submit that this rule applies to a petition or document addressed to this body for the action of the body, in which some foreigner is undertaking to ask things from the American Senate or to lay something before the American Senate for its action; but that a Senator, as a part of his remarks, taking the full responsibility for his act, as he must do, can, as a part of his remarks and as evidence of the truthfulness of his statements, read any paper coming from any source whatsoever.

Mr. GEORGE and Mr. ODDIE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. REED of Missouri. I yield to the Senator from Georgia.

Mr. GEORGE. Before this paper could come under the rule it must be a petition or memorial or paper presented by or on behalf of a foreign citizen. If presented by a Senator on his responsibility, in whatever form, it could not be affected by the rule.

Mr. REED of Missouri. The Senator has stated the matter very accurately, and his statement affords the very preface I desired to now state the facts.

Let me read the paper, not all of it, but the beginning of it:

Memorandum of Perceval Thoby, former Haitian chargé d'affaires at Washington, official representative of 61 committees of the Patriotic Union of Haiti.

Then beneath that:

The indictment of present conditions in the Haitian Republic falls under five main heads, as follows:

Then follows the statement:

1. Popular elections deferred.
2. Depreciation of Haitian currency.
3. Changes in land laws.

I am abbreviating this abstract.

4. Increase in prostitution.

5. Extension from 10 to 20 years of treaty of 1918.

So it runs on at considerable length. It is dated at Washington, March 5, 1926, and is signed "P. Thoby."

Mr. ODDIE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. REED of Missouri. In a moment. The Senator from Utah had that read as a part of his remarks and then vouched for the paper. It is now proposed that it be stricken from the RECORD, after it has been received without objection.

Mr. ODDIE. Mr. President, I want to ask the Senator from Missouri if he does not think that the statement in question was presented to the Senate for the purpose of influencing the action of the Senate on the resolution of the Senator from Utah which he has said will be presented to-morrow?

Mr. REED of Missouri. I have not any doubt that the Senator from Utah had some reason for introducing the paper. I have not any doubt he introduced it as evidence to sustain something he had done or intends to do. I have not any doubt that a Senator has the right to introduce any document, taking the responsibility for its introduction, for any purpose relating to the action of the Senate.

Mr. ODDIE. Mr. President, I have two reports relating to the American occupation of Haiti—one of last year and one of this year, which has just been received. I ask that they may be made a part of the RECORD.

Mr. McKELLAR. Are they signed by a foreigner?

Mr. KING. Will the Senator permit an inquiry?

Mr. ODDIE. Yes.

Mr. KING. In these reports does the name of Mr. Borno appear, the de facto or alleged President of Haiti?

Mr. ODDIE. Yes.

Mr. KING. He is a foreigner, is he not?

Mr. ODDIE. Yes; but it appears in an entirely different form from that of the statement the Senator from Utah has had read. This is not a report of Mr. Borno. It is a report of an American official.

Mr. KING. But it contains the statement that Mr. Borno is the alleged president of the de facto Government of Haiti?

Mr. ODDIE. Yes; but it is the statement of an American official.

Mr. KING. It is the statement of an American official, but there is also the statement of Mr. Borno and other Haitians.

Mr. REED of Missouri. Mr. President, will the Senator permit an inquiry?

Mr. ODDIE. Certainly.

Mr. REED of Missouri. Is the Senator from Utah an American official?

Mr. ODDIE. Yes.

Mr. REED of Missouri. If the statement of an American official gives sanction and makes proper the statement of one foreigner, why does it not do so as to another?

Mr. ODDIE. I contend that the conditions are entirely different, because this is an official statement from our own Government.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

Mr. McKELLAR. I object.

The PRESIDING OFFICER. Objection is made.

Mr. ODDIE. Mr. President, I want to make one further statement.

Mr. McKELLAR. Mr. President, I will withdraw the objection and let the reports go in.

Mr. ODDIE. Mr. President, aside from the question of how we got into Haiti, the American occupation forces have been of tremendous benefit to Haiti and to its people. They have exercised humane methods; they have educated the people; they have introduced methods of educating them in agriculture and home economics; they have increased the revenues and made the country prosperous and in every way they have been a decided benefit to the Haitian people. The reports which I have just asked to have placed in the RECORD give an excellent summary of what our occupation forces have done in the last two years.

The PRESIDING OFFICER. Without objection, the reports will be received and placed in the RECORD.

The reports are as follows:

RELATIONS WITH HAITI

THE TREATY OF 1915

The treaty concluded between the United States and Haiti September 16, 1915, ratified by the Haitian Congress November 11, 1915, and to the ratification of which the Senate of the United States unanimously gave its advice and consent February 28, 1916, provided—Article I—that "The Government of the United States will, by its good offices, aid the Haitian Government in the proper and efficient development of its agricultural, mineral, and commercial resources and in the establishment of the finances of Haiti on a firm and solid basis." The remaining articles of the treaty set forth the methods by which these ends are to be accomplished. A copy of the treaty is annexed.

THE EXTENSION OF THE TREATY IN 1917

Article XVI of the treaty reads: "The present treaty shall remain in full force and virtue for the term of 10 years, to be counted from the day of exchange of ratifications, and further for another term of 10 years, if for specific reasons presented by either of the high contracting parties, the purpose of this treaty has not been fully accomplished." The exchange of ratifications took place May 3, 1916.

On March 1, 1917, the Haitian Government requested the good offices of the United States in securing for Haiti a loan of \$30,000,000 for the purpose of refunding and consolidating the existing public debt, and to provide for public works and improvements necessary to the development of the country's resources. In order that the projected loan might be arranged upon terms most advantageous to Haiti, that Government notified the United States of its desire to exercise the option conferred by Article XVI of the treaty, thus extending the treaty until May 3, 1936. The considerations which prompted this action are obvious. Haitian bonds in any large amount could not be placed advantageously unless the prospective purchaser could have assurance that such bonds would be properly secured as to payment of interest and amortization. This security was fully provided as long as the participation of the United States in the administration of Haitian affairs within the scope of the treaty should continue. That participation would, however, cease in 1926 unless it should be extended by agreement between the two Governments. A loan of the amount proposed for a period of less than 10 years was out of the question. On the other hand, provision for the possible prolongation of the treaty was contained in that instrument itself.

An additional act—copy attached—covering this extension of the treaty was signed at Port au Prince March 28, 1917. It was not necessary to submit this agreement to the United States Senate, inasmuch as that body had already given its approval to the treaty of which the provision for extension by supplementary agreement was an integral part.

THE PROTOCOL OF OCTOBER 3, 1919

Arrangements for the loan above referred to were impeded by conditions arising out of the war in Europe, and it was not until 1919 that the matter again became the subject of active consideration. As the funding of the Haitian debt, including internal as well as external obligations, was a problem that could not be considered apart from that of determining the total amount of such indebtedness, it was felt that any arrangement for the floating of a loan should compre-

hend a plan for the adjustment of the many outstanding claims of foreign nationals against the Haitian state. An agreement providing for the organization of a claims commission and specifying the conditions under which Haiti should issue bonds to the extent of not more than \$40,000,000 was accordingly entered into October 3, 1919. This agreement, which was signed by the American minister at Port au Prince and the Haitian minister for foreign affairs, and a copy of which is annexed, provided for the continuance during the life of the contemplated loan of supervision over the collection and allocation of the hypothecated (customs) revenues of Haiti by a person appointed by the President of Haiti upon nomination by the President of the United States.

The authority of the executive branch of the United States Government to conclude such an agreement was derived from Article XIV of the treaty of 1915, which empowers the high contracting parties "to take such steps as may be necessary to insure the complete attainment of any of the objects comprehended in this treaty." To insure the financial rehabilitation of Haiti, one of the most important objects comprehended in the treaty, the continuance of United States customs supervision appeared necessary. The execution of a protocol with the United States for the settlement of foreign claims against Haiti had been specifically agreed to by Article XII of the treaty.

THE LOAN OF 1922 AND THE FINANCIAL REHABILITATION OF HAITI

The revival of commerce following upon the termination of the European war enabled the Government of Haiti in June, 1920, to resume service of its foreign debt, which had been suspended for several years. At the same time plans were worked out for a refunding of the entire public debt by means of the before-mentioned loan. The flotation of the loan was, however, rendered difficult, both by financial conditions in the United States and by friction between the American financial adviser and the Haitian Government, but the difficulties were finally overcome and the issue of the first series of the loan, to the amount of \$16,000,000, was agreed upon by the two Governments in June, 1922. Public bids were solicited and the loan was awarded on September 28, 1922, to the National City Bank of New York, which bid 92.137 for the 6 per cent 30-year bonds that were offered. From the proceeds of this loan the Government has arranged to refund the entire outstanding foreign debt, amounting to more than 80,000,000 French francs, at a cost of about \$6,000,000, due to the depreciation of francs at the time of purchase. The amount remaining to the credit of the Haitian Government, together with the proceeds of an internal bond issue of \$5,000,000, is being employed for the liquidation of the internal and floating debt and for the settlement of awards made against the Government by the Claims Commission. A third series of bonds in the amount of \$2,660,000 was authorized in December, 1923. These bonds are to be issued in exchange for bonds of the National Railroad of Haiti under an arrangement with the bondholders of that corporation.

The net public debt of the Republic was \$21,772,684.08 at the close of the last Haitian fiscal year (September 30, 1925). This represents a considerable reduction of the bond issues just described. In 1915 the public debt amounted to approximately \$36,000,000. These figures speak for themselves, although it should be noted that a large number of claims against the Haitian Government remain to be decided by the claims commission, and that if the awards of the commission necessitate the payment of large sums by the Government its financial position will be somewhat less favorable.

That the public credit of Haiti is increasingly well regarded by investors both at home and abroad is indicated by the fact that all three series of the bonds outstanding have shown an appreciable advance in market price during the year; series A having advanced from 92 on September 30, 1924, to 96 on September 30, 1925; series B from 68 to 78; and series C from 89 to 92. (Series B bonds are subject to Haitian income tax). Incidentally it may here be stated that Haitian revenues for the fiscal year ended September 30, 1925, totaled more than \$8,000,000, an amount unequalled since the year 1890-91.

THE AMERICAN ORGANIZATION IN HAITI

This organization consists of a high commissioner, holding the rank of an ambassador, and under his supervision five departmental officials, viz, a financial adviser and general receiver of customs, a chief engineer of public works, a chief engineer of the sanitary service, a chief agricultural engineer, and a chief of gendarmerie, each acting in cooperation with the corresponding member of the cabinet ministry of the Republic of Haiti. A number of American experts assist each of these officials.

There is also in Haiti one brigade of United States marines composed of 59 officers and 916 men, who are concentrated at Port au Prince, the capital, and at Cape Haitien, the second city of the Republic. Public order, however, is maintained entirely by the gendarmerie of Haiti, the enlisted personnel of which is exclusively Haitian, but a majority of whose officers are Marine Corps officers and enlisted men, to the number of 28 and 80, respectively.

Until 1922 these officials appointed under the treaty had worked independently of one another and with only a small measure of supervision by the American Government. They did not always cooperate with one another, and there was consequently occasional friction among the officials themselves and between them and the Haitian Government. With the object of attaining better coordination and more efficiency the President, in February, 1922, appointed Brig. Gen. John H. Russell, United States Marine Corps, as high commissioner with the rank of ambassador, with power to supervise the activities of all of the treaty officials and to act as the channel through which those officials should communicate on important matters with the Haitian Government and with the Department of State. The appointment of the high commissioner has done much to place the relations between Haiti and the United States on a more satisfactory basis.

There is attached hereto a summary of the outstanding accomplishments of the American intervention in Haiti during the last 10 years.

SUMMARY OF OUTSTANDING ACCOMPLISHMENTS OF THE AMERICAN INTERVENTION IN HAITI DURING THE PAST 10 YEARS

FOREWORD

It is difficult to present in summarized form the outstanding accomplishments of the 10 years of American intervention in Haiti, for the reason that in order to understand and appreciate the importance and magnitude of each particular accomplishment, it is necessary that one should have a thorough insight into Haitian history, Haitian politics, Haitian economics and finance, as well as the conditions that existed immediately prior to and at the time of the American intervention. Without such knowledge, it is almost impossible to appreciate the results that have been attained. For example, consider the question of the establishment of peace throughout Haiti. For a person who is not conversant with or has only a superficial knowledge of Haitian affairs, it is impossible to realize the far-reaching effect and importance of this accomplishment.

POLITICAL

1. The conclusion of a treaty between the United States and the Republic of Haiti, with the object of confirming and strengthening the amity existing between them by the most cordial cooperation in measures for their common advantage, as well as to remedy the condition of the revenues and finances of Haiti, to maintain the tranquillity of the Republic, and to carry out plans for economic development and prosperity of Haiti and its people.

2. The organization of a constabulary force named the "Gendarmerie of Haiti," and organized to replace the old Haitian Army and communal police forces, which were notoriously inefficient.

3. The holding of a plebiscite and the adoption of a new constitution (June, 1918). Prior to the voting on the constitution, it was carefully explained to the inhabitants by the "conseiller d'agriculture" and other Haitian officials, and it is probably the only time in the history of Haiti that a free and unrestricted vote has been given by the people.

4. The signing of a protocol between the United States and Haiti in 1919, arranging for the settlement of the numerous outstanding debts and claims against the Haitian Government, some of which were of many years standing.

5. The suppression of banditry throughout the entire Republic.

6. The establishment of the rural police as an adjunct of the gendarmerie.

7. The signing of an agreement between the Republic of Haiti and the United States regarding the employment of engineers for agricultural and vocational training.

8. The appointment of a high commissioner to have general supervision over all treaty officials, to coordinate their work in order that the purposes of the treaty might be more fully accomplished, and the administration for which the treaty provides might be more efficiently conducted. The organization of the treaty officials in order to bring about the above-desired results.

9. The gradual withdrawal of the United States forces of occupation and the strengthening and improvement of the gendarmerie of Haiti. The turning over to the gendarmerie of the posts formerly occupied by the United States forces of occupation and the concentration of United States forces, greatly reduced, at Cape Haitien and Port au Prince.

10. The holding of an absolutely free election for President (1922), with possibly one exception, the only absolutely free election for President ever held in Haiti.

11. The unparalleled spectacle of the inauguration of the new President and his receiving the reins of office from the outgoing official.

12. The drafting of an elaborate plan and the passage of a law reorganizing the National Railroad of Haiti, having for its principal object the classification of financial relations between the railroad company and the state; the extension of trackage, rolling stock, etc. It might be stated without exaggeration that since the plan of reorganization was worked out and by law put into effect the National Railroad has entered on an era which gives promise of new growth and large usefulness, while the state has been relieved from the obnoxious guaranty of interests.

FINANCE

FOREWORD

One of the chief aims of the treaty was the stabilizing of Haitian finances. At the time of the American intervention in Haiti the financial situation was almost as chaotic as the political. It was apparent that one of the first steps to be made in the stabilizing of Haitian finances was the flotation of a loan which would make it possible to refund and consolidate the then existing public debt. The result of such refunding would be to secure for current expenditure income that was pledged and segregated for the payment of amortization and interest on the public debt, provide for the payment of claims against the Haitian Government, and secure for public works and improvements funds necessary to the development of the resources of the country.

Furthermore, the placing of Haitian finances on a firm and solid basis necessitated the devising of a method for providing internal revenue and the inauguration of an adequate system of an audit and control of Haitian revenues in general.

The accomplishments under this heading during the past 10 years have been such as to greatly enhance the credit of Haiti. The receipts for the fiscal year just closed have been the greatest, except for one year, in the history of Haiti, and the indications for the present fiscal year lead to the belief that it will be a banner one.

1. The public debt has been reduced from 153,861,068.85 gourdes to 115,231,263.80 gourdes.

2. Claims against the Government have been paid or refunded or are in the process of settlement by the claims commission. Reserves for the payment of all its awards have been set aside.

3. The currency, formerly subject to violent fluctuations, has been stabilized. All Government paper money has been retired and a reserve fund has been created for nickel subsidiary currency. The fiduciary Government currency has been replaced by national bank notes secured by a reserve.

4. The Government guaranteed indebtedness to the National Railroad of Haiti has been converted into direct indebtedness of the Government and a comprehensive plan of reorganization has been effected with considerable saving to the Haitian Government and improvement of the railroad.

5. Numerous changes in the debt structure have been made with the result that the debt service, including expenditures of the receivership and various administrative expenses secured by pledges of revenues, now absorb about 37 per cent of the revenues compared with debt charges of about 76 per cent of the revenues prior to the American intervention. Debt charges and current expenses as well as are now promptly paid. Prior to the American intervention both were in arrears. Since the American intervention all arrears of both classes have been liquidated.

6. The budget has been balanced and current expenses are required to be kept within current revenues. Deficits covered by borrowings or issues of paper money are no longer permitted. A large proportion of the revenue is devoted to public works, sanitation, and agriculture, while prior to the intervention the expenditures for these purposes were negligible.

7. Instead of constant heavy bank borrowings, on which high interest rates were paid by the Haitian Government, there has been substituted a treasury position under which the Government has bank balances fluctuating around 25,000,000 gourdes, upon the great part of which interest is received.

8. Cash reserves have been created as precaution against slumps in revenue, and these reserves are used at the beginning of each year to make advance payment on the entire debt service for the year, thus saving an accrual of interest by retiring indebtedness in advance of the due date.

9. The system of disbursements has been completely reorganized, all payments being made directly to the creditor, principally by check. Government employees and other creditors are paid promptly, as contrasted to the former system, under which delayed payments resulted in forcing an employee or other creditor to sell his salary or other claim against the Government at large discounts.

10. A modern system of government accounting has been instituted including preaudit of disbursements and the simplification of methods of vouchering and warranting. The old system of budgeting in two currencies, dollars and gourdes, has been replaced by a budget in one currency only—gourdes.

11. Graft and inefficiency have been eliminated from the customs service. A revision of the import tariff has been prepared and awaits action by the legislative body. This revision, a stupendous work, will result in a more equitable distribution of the burden of customs duties and will give increased protection to national agriculture and industry without increasing the total revenue derived from imports. Customs properties have been maintained in efficient operating condition, and new warehouses and customhouses constructed where required. In Port-au-Prince the "Palace of Finance" has been constructed to house all the financial activities of the Government, formerly widely scattered in rented buildings.

12. A law reorganizing the internal-revenue service has been passed, and that service has been placed under American control. Internal revenues have been increased from 543,610.05 gourdes in the first year of the American intervention to 4,089,926.19 gourdes during the fiscal year just closed, which was the first full year during which the internal-revenue service was in operation under American supervision. This increase of over 700 per cent in internal revenues has been accomplished primarily by increased honesty and efficiency of collections without any material change in tax legislation.

13. Complete records of Government expenditures are kept and promptly published, contrasted with incomplete and unreliable records prior to American intervention, which, if published at all, were invariably several years late.

14. An accurate and detailed record of statistics of imports and exports has been instituted. Prior to the American intervention there were no accurate statistics of foreign trade.

15. A monthly bulletin has been established and published in both French and English. It contains a summary of the activities of the services under the management of the treaty officials; a balance sheet showing the cash resources and obligations, and also the financial and commercial statistics for each month of the year compared with the same period of the preceding year. This bulletin is distributed to the merchants and officials in Haiti and in foreign countries.

16. A purchasing organization with a purchasing agent in New York has been established, the services of which are available to all branches of the Government and result in important economies being made.

17. Pension legislation has been improved and pensions are now granted only to functionaries who have the required service and otherwise meet the legal requirements, contrasted with the former practice of granting pensions as favors.

18. The offices of financial adviser and general receiver have been combined, both functions being performed by one official.

PUBLIC HEALTH

FOREWORD

Prior to the American intervention public-health work in Haiti did not exist. Matters of health and allied affairs were under the direction of a central body, having local subsidiary bodies, all known as the "Jury Medical," which consisted of a group of medical men. This organization practically existed in name only. The sanitary condition of the country, particularly of the more settled places, towns, and cities, was extremely bad. Flies and mosquitoes bred freely in their numerous habitats and no attempt was made to prevent their propagation. Natives, with most all types of tropical diseases, paraded the streets and frequented markets and public places. The condition of the markets was indescribable.

There were a certain number of so-called hospitals in the larger towns. They were hospitals in name only, being but places of refuge for those about to die. They were equipped with the most meager of supplies. Patients suffering from all kinds of diseases and conditions were huddled together in the same rooms, sleeping on the floors.

1. The sanitary engineer was appointed and a law was passed creating the public health service.

2. Sanitary rules and regulations as well as quarantine regulations were drafted, approved, and published. A school for the training of Haitian nurses, of which there were none in Haiti, was organized and is yearly graduating trained and efficient nurses.

3. Public latrines have been built in large towns and the number of private latrines greatly increased.

4. Hospitals have been taken over by the public health service. The hospitals have been improved. Modern operating rooms, laboratories, and new wards have been built where necessary. The hospital in Port au Prince has been made into the Haitian General Hospital and is gradually being developed into an institution capable of treating not only the sick in the immediate neighborhood but chronic cases from all over Haiti. An epidemic of smallpox was fought and a large per cent of the population vaccinated. A compulsory vaccination law was enacted.

5. A general poorhouse was opened in Port au Prince.

6. Rural clinics were initiated and have developed and grown to be a very important part of the public health service.

7. Numerous sanitary improvements have been effected. In the large cities garbage and refuse have been hauled from the houses and properly disposed of, and street cleaning put in force.

8. A new hospital was erected at Hinche, in central Haiti, where formerly there was no hospital nor medical facilities within a radius of 80 miles.

9. A more or less extensive survey of mosquito breeding has been extended over all the Republic and in the larger cities marked progress has been made in extermination of the anopheles albimanus, the malaria carrier in Haiti. For example, in Port au Prince the entire lower section that was in 1915 a continuous swampy tract has now been filled in and drained. Similar activities have been carried on in other sections of the Republic.

10. In the larger communes the use of the privy has been made nearly universal.

11. A general system of school inspection has been introduced, particularly to check up on vaccination, and in malaria districts to determine the extent of malaria. In the worst sections a splenic index of from 50 to 80 has been found. It is remarkable how the operation of these schools improves under the administration of quinine to the pupils.

12. There has been a tremendous development during the last 10 years in the actual medical attention afforded the people. In 1915 there were a few poorhouses operating under the name of hospitals in some of the larger cities. To-day, Port au Prince, Cape Haitien, Hinche, Aux Cayes have hospitals of bed capacities from 100 to 400. These hospitals are equipped with modern appliances and facilities, including X-ray departments, laboratories, operating rooms, and dispensaries. Towns such as Gonaives, Jeremie, and Jacmel have smaller, but nevertheless modern institutions, while the old structures at St. Marc and Petit Goave and Port de Paix will shortly be replaced with better buildings.

13. A building program will supply the smaller communes along the coast and in the interior with dispensaries where proper treatment may be given, either by the local doctor or by a visiting public-health officer.

14. Twenty rural standard dispensaries are nearing completion. In addition, 100 places are visited several times a month by medical officers, and clinics held. Thus, over 35,000 people are seen each month. The educational value of this massive treatment, aside from its purely medical importance, is tremendous. The country districts where voodooism was rampant are being invaded by modern ideas regarding sickness and health.

15. Negotiations are being carried on for sites for a modern quarantine station, an asylum for the insane, a hospital for lepers, and homes for indigents and orphans, all of which are institutions which are sorely needed in Haiti.

16. Negotiations are also under way for compelling medical students to take advantage of clinics and laboratory facilities offered by the Haitian General Hospital.

17. The international health board of the Rockefeller Foundation has, for the past year and a half, had its representatives in Haiti for the purpose of making a medical survey of the country, and the public health service has cooperated with these officials.

PUBLIC WORKS

FOREWORD

At the time of the American intervention there was no definite organization for carrying out the few public improvements that were undertaken. A number of engineers, citizens of Haiti, were attached to the ministry of public works and were assigned to particular projects in a more or less haphazard and desultory fashion.

There was no accurate system of accounting for expenditures, and the public works of the country as a whole, such as they were, were in a deplorable condition. The organization of a technical department with a proper accounting system and an efficient professional personnel for carrying out the work of this department was therefore of primary importance. The existing public works were few. There were practically no roads connecting the cities and towns, and as a consequence communication was most difficult. In view of this difficulty, the interior of Haiti was practically unknown to those living on the seacoast or in the port towns. The construction of roads became, therefore, one of the first objects of the American intervention, as without good communications it was impossible to obtain and maintain tranquillity throughout the country. After the roads, the trails must be improved in order to facilitate the bringing of the produce to the main arteries. As commerce increased, the telephone and telegraph system had to be improved and expanded in order to meet the increased demands.

1. Appointment of an engineer in chief and the passage of a law organizing the "Direction Generale des Travaux Publics," under the control of the engineer in chief.

2. The construction of slightly over 1,100 kilometers of national highway.

3. The improvement of trails leading to the main arteries or highways.

4. The construction of bridges over the large rivers crossed by the national highways. The manner in which these highways have been improved can be appreciated, for when the occupation arrived in Haiti there were practically no roads or automobiles. To-day there are 1,250 registered cars, representing an approximate value of \$1,500,000. Up to 1923 there was practically no commercial trucking and no passenger busses. On September 30, 1924, there were 9 commercial trucks in the Republic. To-day there are 40 commercial trucks hauling supplies and merchandise. During the past two years there has grown up a considerable passenger-bus system ranging from the ordinary Ford passenger car to busses carrying over 20 passengers. These busses offer rapid transportation to many places in the Republic. There are 183 such machines operating to-day. Their introduction has also resulted

in the necessity of the further maintenance and further construction of the existing highways.

5. In 1915 there were three lighthouses for nearly 1,000 kilometers of coast line of the Republic. Two of these were near Port au Prince and one near Cape Haitien. On October 1, 1925, 13 lighthouses were in operation. The 10 additional lights installed are of the automatic acetylene flashing type. A dependable maintenance service for these lights has been organized and the entire lighthouse and buoy service has been placed under the direction of the coast guard, which forms a part of the gendarmerie of Haiti.

6. The principal harbors have been supplied with buoys and the existing wharves have been improved and a definite wharf-improvement program is being carried out.

7. A definite building program has been followed and hospitals, schools, and other necessary buildings have been constructed, while many old government buildings, including churches, have been repaired. The national palace, under contract in 1914, was completed. Additional customhouse facilities have been constructed. Buildings, barns, corn sheds, silos, machine shops, etc., have been constructed for the Service Technique d'Agriculture. The Palace of Finance has been constructed at Port au Prince and an extensive program of construction for the gendarmerie is being carried out. Improvements have been made in the streets of the towns of the Republic. A street-paving program under way at the time of American intervention was completed in Port au Prince; 70,000 square feet of asphalt were laid in Port au Prince. Approximately one-half of this was accomplished during the fiscal year 1924-25, not by contract but by the direction generale des travaux publics.

8. The drainage at Port au Prince has been improved. Many lines of concrete surface drains have been laid during the last year in the poorer sections of Port au Prince.

9. The water works in Port au Prince have been repaired and rebuilt, and where formerly the springs supplying water were poorly housed and open to contamination, pipes clogged with lime, and supply inadequate, the springs are now properly housed in a modern and sanitary manner, new pipe lines have been laid, and additional springs have been brought into service, so that the water supply of Port au Prince now amounts to about 40 gallons per capita per day. This work involved the construction of nearly 5 miles of concrete aqueduct. At Cayes a pumping plant has been installed and the distributing system almost entirely rebuilt. At Gonaives the main water-supply line was rebuilt. At Jacmel improvements have recently been finished which greatly augment the supply of water. At Cape Haitien many new wells have been drilled in order to increase the water supply, which was apparently drying up. At other places the existing systems have been maintained and improved. The Direction Generale operates two portable well-drilling rigs for supplying water to villages. One of these has already drilled some 30 wells in the Department of the North. The other, which has been recently purchased, has drilled two wells in the Department of the South, and it is proposed to continue this class of work.

10. In 1915 there were the ruins of irrigation systems of French colonial origin in the Plain of the Cul-de-Sac, the Plain of Leogane, the Plain of Arcabaie, and of the South. These have been repaired and water made available to landholders. In 1923 additional irrigation construction was undertaken on the Plain of the Cul-de-Sac. There was also started a series of improvements to the Riviere Blanche system in the Plain of the Cul-de-Sac. This latter project alone results in the saving of enough water to cultivate approximately 2,000 acres of fertile land. In addition the Riviere Gris system, involving 1½ kilometers of masonry lining, has been reconstructed. The Mo-nance system on the Plain of Leogane has been completed, permitting the irrigation of over 2,000 acres of land. In 1924 funds were made available to undertake extensive irrigation investigations. A complete survey of the Artibonite, involving a project of some 80,000 acres, has been studied, and a similar study is being made for the Plain of Gonaives, involving some 10,000 acres. Irrigation studies of similar character are being carried on in other parts of the Republic.

11. There was early foreseen the need of definite data on the rainfall and the run-off in order to intelligently make studies for future improvements. There was, therefore, brought into being an organization for that purpose, and regular measurements were made on all of the principal streams of the Republic from that time on.

12. Telegraph and telephone systems have been made serviceable, improved, and expanded. Long-distance service, which had existed between only a few of the more important cities of the Republic, and even then was extremely intermittent, has been placed on a satisfactory basis. An automatic telephone system has been installed in Port au Prince. New metal-circuit cross-tied-pole lines have been constructed over some 65 miles and are being extended over the Republic. At the present time there are 45 commercial telephone posts and over 900 miles of long-distance lines. The receipts of telephone and telegraph have grown from less than 350,000 gourdes for the fiscal year 1920-21 to 535,000 gourdes for 1924-25. This system now operates with a large margin of profit to the Republic since the operating expenses of the fiscal year 1924-25 were under 400,000 gourdes.

At the time of the American intervention the receipts were much below those of the year 1920-21. The remarkable feature in the improvement in the telegraph and telephone service has been the rapid growth of the telephone business. Telephone receipts have grown from some 75,000 gourdes in 1920-21 to approximately 310,000 gourdes during the year 1924-25. The Port au Prince telephone system handles on an average of 6,000 calls per day. There is now on hand a project for a new fireproof and earthquake proof telephone and telegraph building, housing not only the local telegraph office but also the telegraph and telephone activities of Port au Prince.

GENDARMERIE

FOREWORD

The gendarmerie of Haiti was organized in accordance with the provisions of article 10 of the treaty of September 16, 1915, and to-day includes the gendarmerie, coast guard, and rural police. It has a strength of 2,433 enlisted, exclusive of the 551 rural police, 1 rural policeman being in each section of the 551 sections of the Republic. As before stated, it replaces the old Haitian army and communal police force. Previous to 1915 the army had a strength of 38 regiments of the line, 250 men to the regiment, 4 regiments of artillery, and a gendarmerie of 43 companies of 43 men each, and 4 regiments of the President's guard. The high ranking officers of the army consisted of 308 generals and 50 colonels. In addition to the number of generals assigned to duty with regiments, arrondissements, and communes, the President of the Republic made many brevet generals, honorary titles which he gave to his friends. The number of these varied with the number of friends. The present gendarmerie has 2 generals and 5 colonels (3 line and 2 staff), 7 majors, inspectors, 2 majors, assistant quartermasters, and 3 majors, surgeons inspectors.

The old method of recruiting, never based on law, was performed in such a fantastic manner as to facilitate the graft of the officers. The recruiting officer in the Haitian Army, prior to the intervention, sent his soldiers to gather in all young men, whether of the required age or not, and forced them, without law, into his general's army. After the different recruiting parties so gathered arrived at the place for recruiting, there was selected from them those who should be inducted into the army. Young Haitians of good family, in order not to serve, used to engage themselves in either parade companies or in the fire brigade. Both of these organizations were exempt from military duty. Those of the poor country people who could afford it paid 10 gourdes or more in the form of graft to the so-called recruiting officer and were exempt from service. The pay of the Haitian private was 1 gourde a week for rations and 1 gourde a month for pay (a gourde is equal to 20 cents United States currency), none of which he ever received with the exception of some few who were selected for honor duty. This non-payment of troops, in addition to appropriations made for medical service and uniforms, comprised three of the main sources of graft by which the Haitian generals benefited. The present method of enlistment in the gendarmerie is entirely voluntary and by selection, provided the physical condition of the applicant warrants it. The gendarmes are housed in clean barracks, equipped with uniforms sufficient to make a presentable appearance, and are regularly paid once a month. The pay of the private is \$10 per month and 15 cents per day ration allowance, all United States currency.

1. Previous to 1915 Haiti had been practically in general revolution for over its entire period of so-called independence. With the exception of one or two instances, these revolutions were never suppressed by the standing army. In fact, many of the recruits of the revolution came from members of the standing army. Since the organization of the gendarmerie there have been no revolutions. Banditry broke out in October, 1918, and continued until 1921. This banditry was strenuously fought by the gendarmerie, and with the assistance of a brigade of marines stationed in Haiti it was suppressed. Since that date there have been no recurrences, and Haiti to-day is one of the most peaceful countries of the world.

2. The supervision of local native officials by gendarmerie officers has been large and varied, and the success acquired in that part of the gendarmerie service has greatly bettered the condition of local administration.

3. Officials of the gendarmerie act as communal advisers in every commune of the Republic and aid the communal officers in the administration of affairs in drawing up the communal budget for the fiscal year and in advising in modern methods of work.

4. The prisons have been renovated, and while those which were taken over by the gendarmerie in 1915 were unfit for human habitation, they have to-day been reconstructed and turned into immaculately clean buildings. Prior to 1915 food for prisoners was procured supposedly by contract, but unless the families of the persons condemned to prison supplied them with food the prisoner, as a rule, did not eat. A comparison of the old system, if system it might be called, to the present manner of housing prisoners in clean, healthy places, with modern facilities based on the health requirements as to space, etc., and the advent of messes for feeding prisoners, affords a contrast that is so startling that it can not be expressed. In addition to

better conditions, general work-shop activities are maintained, in which the prisoners can work for pay which he can either leave on deposit and draw when his term expires, or he can make arrangements whereby the money earned is delivered to his family in weekly stipends.

5. In June, 1919, the road construction and maintenance work was turned over to the engineer of Haiti and the direction generale. In the four years preceding that time the gendarmerie had direct charge of this work and many miles of roads were constructed and maintained under the direction of the gendarmerie, without any increased personnel.

6. The gendarmerie has its own medical department, has organized a hospital and dispensary service covering the entire Republic, and has established a supply depot and medical stores at Port au Prince. A native hospital corps of 60 men has been trained and are rendering efficient service. The medical department of the gendarmerie, in addition to caring for the personnel of the gendarmerie, is charged with the sanitation of prisons and of sick prisoners. The outstanding achievement of this department has been its work in the reduction of prison mortality and improvement of sanitary conditions of prisons. The death rate among the personnel of this corps has been gradually reduced until it is to-day about seven per thousand, where five years ago it was double that number. The deaths among prisoners has been gradually reduced from 439 in 1919 to 85 in 1925. This reduction of deaths was in a large part due to improved sanitary conditions and to properly balanced diet.

7. The quartermaster department of the gendarmerie has during the past 10 years gradually brought about improvements in the purchasing methods by buying in larger quantities during periods of low prices and in this way obtaining greater value for the money expended. The gendarmerie supply department was established at Port au Prince and supplies are kept on hand for ordinary needs and for emergency.

8. The methods of accounting of both property and funds have been simplified and standardized. To increase economy in clothing a clothing allowance has been established. A simplified and standardized system of bookkeeping has been established and a quartermaster manual compiled, which gives detailed instructions as to the rendering of all returns. In addition a deposit system has been inaugurated whereby gendarmes can make deposits from pay, such deposit to be paid to the gendarme with interest upon his discharge. At the present time this deposit fund amounts to 315,341.34 gourdes. Great improvement has been made in rationing the gendarmes and prisoners. Economies have been effected by the purchase of standard articles of food in large quantities. Standee bunks have been procured by purchase from the United States Army and installed throughout the gendarmerie at a cost of \$5 per bunk. The installation of these bunks is not only an economy but adds to the comfort of the gendarmes and increases the space in the barracks. A comprehensive building plan for the gendarmerie is now being pushed to completion. It contemplates the construction of serviceable and standardized barracks in place of the buildings which are now unsuited for gendarmerie barracks.

9. An *ecole militaire* has been established for the training of young men to be officers in the gendarmerie, and its successful operation has been a decided achievement.

SERVICE TECHNIQUE

FOREWORD

While prior to 1915 there was a department of agriculture, it was a department in name only. It had no organization and there were no agriculturists attached to it. Practically nothing was done by the Haitian Government to really forward agricultural development in the Republic. At the time of the American intervention one commonly heard the statement that the future of Haiti lay in its agricultural development, and yet no real effort had ever been made to further such development.

During the first years of American intervention conditions were unsettled and not ripe for the undertaking of agricultural educational work, nor was the financial condition such as to warrant the expenditures necessary for agricultural development. It was therefore not until the year 1922 that the "service technique de l'agriculture" was established by law. In the following year an agricultural engineer, to be placed at the head of this service, was selected and arrived in Haiti and given the title of director general of the service technique. Shortly afterwards the assistant agricultural engineer provided for in an agreement between the Republic of Haiti and the United States was appointed and joined the service technique to take charge of the vocational training under the direction of the director general of that service. Both of these men had to familiarize themselves with the local conditions, and it was consequently some time before the director general could draw up his plan of organization for the service technique.

This plan of organization and of agricultural and professional education was shortly afterwards enacted into law and the necessary credit voted to put it into operation. The director general then

gathered about him an appropriate staff to fill the positions of departmental heads in the service technique. These positions included those of agronomist, soil chemist, botanist, and plant pathologist, entomologist, animal husbandryman, forester, etc. It will be seen from the above that the work of the service technique is concerned not only with agricultural development but with vocational training. In agriculture it is concerned with:

(a) Research and demonstration, including forestry and the protection of water resources, and in the agricultural development of the country through irrigation and various other enterprises which may be undertaken or fostered by the Government, either directly or through cooperation, contract, or concession.

(b) Education which may take the form of:

1. Higher agricultural education for the training of agricultural and forestry experts, research workers, teachers of farm schools, and agricultural advisers.

2. Rural farm schools to teach the native children how better to care for their crops and animals.

3. Advice to the adult agricultural population by means of agricultural advisers and demonstration farms, and teaching them better methods of farming and marketing their products.

4. Through direct aid to the farmers in the treatment of sick and injured animals and the control of outbreaks of plant and animal diseases.

On the other hand the service technique is concerned with all phases of vocational, industrial, and agricultural education, and certain so-called vocational schools which existed at Port au Prince were by law turned over to the service technique. These schools under the Haitian régime were industrial or vocational schools in name only. The instructors were numerous, but spent only an hour a day, if that much, at the school. There were practically no funds for the purchase of supplies and the schools were poorly administered. Under the supervision and direction of the service technique, with little or no increase in the budgetary allowance, these schools have been amalgamated and made into modern vocational institutions. There was also transferred to the service technique a boys' correctional school.

This school was notorious in Port au Prince for the filthy condition in which it was always found; the terrible condition under which the boys were living; and the obvious graft which was being made by those in charge of it. It was almost impossible to keep boys in this correctional school, for those little youngsters were constantly running away. Some instruction was given in mat weaving, carpentry, and iron work, but the boys worked like slaves for the instructors who sold the articles they made and pocketed the profits. This school has been entirely renovated; the boys put into uniforms; appropriate sleeping quarters provided for them; instructors supplied to teach them trades and primary schooling; and, in fact, they are so well satisfied that instead of running away, as they did under the régime prior to 1915, the gates almost have to be closed to keep those outside from coming in.

Although the service technique has only been in operation for a few years, in fact little more than has been necessary to build up its organization, it has succeeded so well that it has become a prominent factor in the economic life of Haiti, and has already many accomplishments to its credit.

1. The *Ecole Central* was inaugurated with the view of furnishing teachers to farm schools, farm advisers, research workers, etc. It has a most comprehensive curriculum and is really the heart of the agricultural system in Haiti.

2. Rural farm schools were established for the purpose of reaching the coming generation. Reading, writing, and arithmetic are taught to the children at these schools, in addition to agricultural instruction. It is estimated that at the close of this year 25 of these schools will be in operation.

3. The entire Republic has been divided into districts, and in each district a farm adviser has been placed to advise the farmers as to better methods of planting and better cultivation of crops and caring for the livestock and poultry. In addition, these men keep the central office of the service technique informed of the conditions of crops in their district, and of any outbreak of animal or plant diseases.

4. In order to bring home to the farmers the benefits of the improved methods of agriculture, as well as to form points of contact to overcome the timidity of the farmer in accepting innovations, especially verbal and written advice, there are being organized cooperative demonstration farms. The peasant farmer accepts a small salary from the Government, 40 or 50 gourdes per month, and in return agrees to cultivate his farm in the manner prescribed by the adviser. He furnishes all the labor, plants his regular crop, but cultivates it as he is instructed. In addition, he keeps his farm clean and conditions sanitary. The farmer retains all the produce of his farm, and under the careful instruction of the farm adviser the farm becomes the demonstration place in that neighborhood or section. Once or twice a year fairs will be held and prizes given, and such fairs will be held on demonstration farms. There is in reality a modification of the Knapp system, which worked so well in the Southern States some years ago. At the present time there are 22 such farms in operation. At first the Haitian peasant farmer refused to sign the cooperative contracts for fear that it was

some underhand means by which the Government was attempting to take his land away from him, but this fear is gradually being overcome.

5. Of all the Haitian agricultural products, coffee ranks the first in value. Its quality is excellent, but the grade is low on account of the fact that a large part of the coffee is cleaned by the natives in a very crude manner, especially in districts too remote from the large commercial cleaning mills to permit the unhulled berries to be taken to them. To overcome this difficulty the Service Technique purchased eight sets of cleaning machines, each set consisting of the following units: A de-corticator, a fan, and a small platform balance. These sets have been placed in selected districts, and the peasant coffee growers of the district are allowed to use them free of charge. These plants enable the peasant to prepare a clean grade of coffee and to know the exact amount that he is taking to market for sale.

In addition to the coffee-cleaning plant, cooperative coffee-demonstration farms have been organized and at the present time seven of these farms are in operation. These farms are organized by means of a cooperative contract by the peasant farmer in the same manner as the demonstration farms already described. They are designed to improve both the production and the quality of the coffee by showing the peasant the greater yield and profit to be obtained by the proper spacing, cultivation, shading, and pruning of his coffee trees and proper methods of packing, cleaning, and marketing his coffee. In order to further increase coffee production in Haiti coffee bonuses are given for new plantations of coffee planted and cultivated in accordance with rules and regulations issued by the Service Technique.

6. Another type of agricultural extension work which is designed not only to aid but to educate the masses of the farmers in the care of farm livestock is that of veterinary clinics. The veterinary staff of the Service Technique not only gives courses in the care and treatment of animal diseases and control of epidemics, but they are also engaged in holding clinics at various points throughout the country. Since their work was organized, the average total number of cases treated per month has risen from 100 or less to more than 1,400. During the past fiscal year more than 16,000 cases were treated. The work is well appreciated by the Haitian peasant and has high educational value, in that it demonstrates the practicability of scientific methods and gives to the peasant confidence in the guidance and leadership that the Government is giving them in other lines of effort.

7. Another line of demonstration undertaken by the Service Technique has been that of the control of the cotton-leaf worm. During the past season spray pumps and dust guns were placed in the hands of the agricultural advisers in the principal cotton districts and 10 separate demonstrations in as many different sections were made for the destruction of the worms.

8. A central experimentation farm has been established, not only for experimental work but for the purpose of affording practical instruction to the students of the Ecole Centrale. Land for this purpose has been purchased in a fertile area of the Cul-de-Sac, not so far removed from Port au Prince as to make it impracticable for students living at that city to attend the courses, for it is here that the main buildings of the Ecole Centrale will be erected. One wing sufficient to accommodate 150 students is rapidly nearing completion. In addition, cow sheds, machine shops, laboratories, barns, and silos, and other appropriate buildings have been erected.

9. The central plain of Haiti contains large areas of uncultivated and unoccupied grazing land. These lands carry very few cattle for the following reasons:

1. Lack of breeding stock.
2. Shortage of food during the dry season.
3. Cattle diseases, principally Texas fever.
4. The lack of an agricultural system added to the semiarid condition of the plains area.

It is part of the plan of agricultural development to establish breeding stations throughout this area. Already 60 cows have been purchased, and it is planned to loan these cows to reliable peasants on a share basis for the offspring. In addition, a cattle station consisting of about 1,500 acres is being installed near Hinche. Animals have been imported from the United States as breeding stock, and it is believed that this section of the country can be developed into a large cattle area.

10. In addition to the extension, demonstration, and educational work with coffee, there is being undertaken certain research work, and to this end a coffee experimental station will shortly be put into operation.

11. To anyone conversant with the principal characteristics of Haiti the importance of forestry work is obvious. Although the head of the forestry department has only been with the service technique for a short time, he has made a general survey of forestry conditions in the country; has developed sisal plantations and established a forestry nursery, where he will shortly be able to turn out some 200,000 trees per year. The nursery beds have been planted to Spanish cedar, wattle, mahogany, and other useful forest trees, which will be used in refor-

estation work during the present year. A forestry law has been formulated and is now before the legislative body.

12. In order to test the quality of the sisal now grown in Haiti and to particularly encourage those who are attempting or interested in its cultivation, two sisal plantations have been developed during the past year. Approximately 30 acres have been cleared and planted with plants, numbering about 600 plants per acre. One hundred per cent have lived and are now growing vigorously. Cotton has been planted between the sisal and is making good growth. This cotton now promises to yield sufficient produce to offset the cost of planting and cultivation for this year. The rate at which this plant will grow in Haiti, the quality of the fiber, and the cheapness of labor which prevails here should render Haiti particularly favorable to the commercial production of sisal.

13. As a part of the investigation of certain areas of the Plain of the Artibonite, it became necessary to make a soil map of that section. This map has been completed and gives most valuable information of that area.

CLAIMS COMMISSION

The claims commission held its first meeting in April, 1923, and since that date it has practically been in constant session, adjudicating the many outstanding claims against the Haitian Government, and it is confidently expected that by April, 1926, it will have completed its work. The total of all claims against the Government amounted to over \$38,000,000. Up to the present time the commission has allowed claims to the amount of \$2,689,353.66 and has disallowed claims amounting to \$20,214,037.41.

DEPARTMENT OF STATE,

March 6, 1926.

FOURTH ANNUAL REPORT OF THE AMERICAN HIGH COMMISSIONER AT PORT AU PRINCE, HAITI, TO THE SECRETARY OF STATE

LEGATION OF THE UNITED STATES OF AMERICA,

Port au Prince, Haiti, February 15, 1926.

SIR: I have the honor to submit herewith my annual report covering the conduct of my special mission to the Republic of Haiti during the past calendar year.

GENERAL

In my third and last annual report I have the honor to point out that the rehabilitation of Haiti had progressed far enough during 1924 to permit of the launching of projects of productive development, and it is with infinite pleasure that I can now report that during 1925 the Haitian Government and the treaty officials have exerted every effort to build up the organizations which are increasing the productive wealth of the country, and that their efforts have already resulted in the strengthening and improving of the general economic condition.

The Haitian Government and the treaty officials have, moreover, continued the well-thought-out program for the stabilization of Haitian finances, the maintenance of tranquillity, the construction of much-needed public works, and the improvement in public-health conditions.

Although at the beginning of the year there were fewer outstanding problems that had confronted the Haitian Government in previous years, there were, nevertheless, many important questions that had to be answered. Among the subjects considered were the enactment of appropriate legislation relative to the ownership of real property by foreigners; a revision of the tariff; the conclusion of a fiscal agency contract for the issuance of series C bonds; the drafting and enactment of a forestry law, passport law, appropriate quarantine regulations; and the reorganization of the judiciary.

During 1920 the Haitian Government had enacted a law interpreting Article V of the constitution of 1918, which dealt with the ownership of real property by foreigners. This law, which was clearly contrary to the direct provisions of Article V, extremely detrimental to the interests of both Haitians and foreigners, and consequently had to be redrafted so as correctly to interpret Article V and adequately protect the rights of foreign owners of real property. Such a draft was finally completed and was enacted into law by the council of state on February 15, 1925. This law covers the subject more fully than the law of 1920, particularly regarding inheritance, and lies well within the provisions of Article V of the Haitian constitution. The Haitian Government is to be congratulated on the happy solution of this vexatious problem.

The necessity for the revision of the 50-year-old tariff and archaic customs laws of Haiti had long been apparent to students of Haitian affairs; but, in view of the former unstable condition of Haitian finances, it was thought proper to postpone such action until the financial and economic condition of the country was placed on a sounder basis. The greatly improved and essentially sound condition of Haitian finances now permitted consideration of this important problem. This stupendous work was undertaken by the office of the general receiver of customs. After many months of continuous labor the fruits thereof were presented in the form of a complete revision of the customs laws and a revised tariff table. The general principle governing the preparation of the revised tariff was an innova-

tion to Haitian economics. It placed a high tax on luxuries and a low tax on commodities used by the mass of the people. Formerly the contrary was true. In addition the customs laws were modernized and clarified. The contemplated tariff revision was then submitted to the scrutiny of the various chambers of commerce, prominent merchants, and other persons affected thereby in order that all might be given an opportunity to express their views. That the proposed revision received general approbation not only from recognized authorities but from these frank critics is indicative of the care exercised in its preparation.

The series "C" bonds were being issued by the Haitian Government in exchange for the National Railroad bonds in accordance with the reorganization plan of that railroad, which was rapidly being put into effect. It was consequently necessary that a fiscal agent be appointed. The National City Bank of New York was appointed fiscal agent and a contract between that organization and the Haitian Government was signed on May 26, 1925, and was later ratified by the Council of State.

A passport law was enacted by the Haitian Government for the purpose of eliminating many useless formalities required by obsolete laws of Haitians as well as foreigners upon entering or leaving Haiti. It was much-needed legislation, and its enactment met with universal approval.

For many years logwood has been one of the leading exports of Haiti. There being no laws relative to the cutting of wood, it has been natural that promiscuous cutting took place as near to the port of shipment as possible. As the exporter, moreover, was heedless of the future, no effort at reforestation has been made, and as a consequence certain sections of the country that formerly were valuable logwood areas are now denuded of trees. With the object of controlling and supervising the cutting of logwood with a view to the preservation of the logwood forests, a forestry law was drafted by the service technique of the department of agriculture and has been placed before the council of State for early enactment.

JUDICIARY

I have commented upon the necessity of the reorganization and reform of the Haitian judiciary in all my annual reports.

The judiciary is the foundation upon which government is built. If the courts are incompetent and subject to personal, political, and other methods of persuasion, the foundation crumbles and "good" government can not be maintained thereon. Law holds the community together. It is the certain and prompt administration of justice that gives to both citizen and foreigner the feeling of security and stability and which permits each to pursue his legitimate business ventures with the greatest prospect of success.

Last year the Haitian Government voted a law reducing the number of judges serving in the courts of appeal and first instance and substantially increasing the salaries of all judges. The courts of Haiti have been but little, if any, improved by this reorganization.

At times there will arise cases, sometimes civil but more generally criminal, that assume for the moment great importance and work the respective partisans up to fever heat. At such times the integrity of the judges and the efficiency of the judiciary system are put to a severe test.

These conditions emphasize the urgent need of the establishment of courts whose decisions, though liable to error, would nevertheless be acceptable as emanating from fair-minded judges without political or personal bias.

PRESS

The past year has seen no decrease in the attacks indulged in by certain of the local newspapers against the Haitian Government and American officials. These newspapers are such in name only, for they carry little or no news and devote their columns to petty criticisms of governmental acts, usually accompanied by some ill-meant but futile attack. Their editors evidently realize that they are incapable of conducting a reputable newspaper with the purpose of disseminating news and therefore make what profit is possible in their insignificant circulation by printing yellow news.

A free press to them apparently means an unlicensed press, and consequently when the Haitian Government deems their annoying attacks important enough to take means to curb their verbose slander and malice against governmental and diplomatic officials, they vehemently protest that the Government is interfering with their liberty of action.

ELECTIONS

Communal elections in Haiti are held on the 10th of January of every even year. The transitory provision "C" of the constitution of 1918 provides, in general terms, that elections for senators and deputies, or what may be termed national elections, shall be held, when the President of Haiti considers the conditions ripe, on January 10 of an even year.

The population of Haiti is essentially rural, less than 15 per cent being urban. The literate class represents about 5 per cent of the

population and naturally it is to be found in the cities, mainly in the ports. Port au Prince, being by far the largest city and the seat of government, contains the largest unit of this class. The peasants, who form the mass (85 per cent) of the population and who have so long been held by their literate brothers in a backward state, have the mentality of a child of not more than seven years of age reared under advantageous conditions.

In the past there have been virtually no political parties in Haiti. There have been no platforms or announced policies. A revolutionary leader was promptly elected President of the Republic by the national assembly after he had entered the city of Port au Prince at the head of his revolutionary army and placed the customary cordon of troops around the chamber in which the national assembly was sitting. Such was the usual procedure. Senators and deputies were elected through the influence and at the command of the President. Consequently, while Haiti has long been a Republic, it has been a Republic in name only. As a matter of fact, from colonial days until 1915 it was a military oligarchy of the most severe type.

The communal elections were as bad as the general elections. The literate class as a rule did not vote, as its vote counted so little that it was considered useless. A candidate brought in his supporters from the country, and voting was carried on in a most irregular manner. Often false registration cards were issued, repeating was common, and the voters had no conception of their civic rights and duties. In view of such a history the difficulties encountered in now establishing proper elections are obviously almost insurmountable.

After a most careful consideration of the entire subject the Haitian Government decided that it would as a first step draft and put into effect a suitable communal election law. Political parties would be established and the communal elections supervised in such a manner as to build up a sound electoral system, which could later be expanded for the purpose of holding national elections.

Accordingly early in October President Borno in a circular letter addressed to the prefects fearlessly and forcefully set forth the true political situation of his country and advised the prefects that communal elections only would be held on January 10, 1926.

The publication of this letter in Haiti brought a storm of protest from the antigovernment element, but I have yet to see one criticism of the facts. The facts are apparently irrefutable. Criticism was directed more particularly to the propriety of President Borno's telling his countrymen the truth, the critics evidently assuming the attitude that the President should only tell them pleasing things and that the truth when it was disagreeable should be withheld or perhaps only told to them discreetly and confidentially.

President Borno in his message to the prefects after quoting from the official statement of ex-President Dartiguenave concerning the conditions in Haiti prior to the American intervention cites some of the numerous accomplishments of the intervention and then states in part as follows:

"And, nevertheless, if the general situation offers so much satisfaction how can it be denied that the work accomplished until now is—but a beginning, when one considers all that still is left to be done to assure the continued development of agriculture, commerce, public education, health, seriously to guarantee public peace, public and private property, the home, and the security of all, against any possible return to our bad past, our past of bloody and destructive revolutions, scandalous pillage, and the persecution and exploitation of the peasants by military satrapes, masters of life and property.

"And before this immense task which solicits, urges, and demands an active coalition of all good wills, what do we see to-day? Groups of politicians at bay, scattered through different parts of the country, pretend to oppose the civilizing progress of the Government by exerting themselves to create and to develop agitation purely political under the lying pretext of 'restoring democratic institutions'; that is to say, to be exact, to replace the present legislative council of state by a chamber and a senate.

"You are not ignorant of the fact, Mr. Prefect, that it is the firm design of the present Government to realize fully the constitutional provision for the election of the two legislative chambers. But at what moment ought this election be brought about, which the constitution itself, in an evident view to prudence and wisdom, has made dependent upon a special convocation by the President of the republic? This is the whole question between the Government and its adversaries. These latter say: 'Immediately'; that is to say, 'on January 10, next.' But the Government, which has no thought of deceiving itself or of deceiving anyone else, replies: 'No; the Haitian people are not ready. Democracy is the Government of the people by conscious, popular suffrage, practiced with the greatest possible liberty. We have that liberty. Never in any period of our country, for more than a century, has there been in Haiti as much liberty as at the present moment. The liberty of circulation is absolute; without any passport one crosses the country in every sense. The freedom of holding meetings is subject only to a previous notification to the local police. The freedom of the press which is, when summed up, the expression of

all the others, is absolute; the law which governs it is made only to suppress abuses, defamation, outrage, provocation to crime, all those intolerable excesses by which the old revolutionary demon, impatient to break his chains, manifests himself from time to time.

"We have liberty. But where, then, is our popular conscious suffrage?"

"Our rural population, which represents nine-tenths of the Haitian people, is almost totally illiterate, ignorant, and poor; although its material and moral situation has been appreciably bettered in these last few years, it is still incapable of exercising the right of vote, and would be the easy prey of those bold speculators whose conscience hesitates at no lie.

As for the urban population, one-tenth of the total population, those of its members who are capable of expressing an intelligent vote—a little progressive minority formed of peaceful men, business men, artisans, citizens of different professions, belonging to different social classes—have for a long time, for the most part renounced their electoral right, disgusted by the immoral maneuvers and the insolent frauds which render, and would still render, illusory their efforts as intelligent electors. The remainder is the small group of professional politicians, with their followers of every sort, who are mainly illiterate.

"This is the present electoral body! It is characterized by an absolute lack of organization as to the little number of its useful elements, and for the rest by a flagrant inability to assume, in the decisive period through which we are passing, the heavy responsibilities of a political action.

"Popular suffrage has not its *raison d'être* if it can only serve to elect individuals and nothing else. True democratic suffrage should serve, primarily, to elect individuals, definite principles, programs of action, and methods of government.

"All this amounts to saying that the rational and necessary foundation of democratic suffrage is in a conscious electoral body the organization of parties with platforms.

"Our national history has only presented up to now two real parties, the National Party, which extols the principles of a strong executive authority, and the Liberal Party, enthused by parliamentarism. Both have disappeared from the political scene through lack of interior discipline and of support by a real public opinion.

"The Government is working to prepare the way of the intelligent and disciplined democracy to the solid organization thereof. The present electoral law is recognized by all as incompatible with the sincere expression of popular will. A new law, now in the course of preparation, will be presented at the next ordinary session; it will offer all the possibilities for the full functioning of political parties, and for the constitution of an intelligent electoral body capable of exercising, without danger to the Republic, the sovereign attributes of universal suffrage.

"And when the hour shall have struck, an hour which will be hastened, let us hope, by the wisdom of our citizens, the president of the republic will be proud to put into operation the solemn prerogative which the constitution has consigned to his patriotism, his judgment, and his conscience, to fix the date of the legislative elections."

EDUCATION

To students of Haitian affairs it is manifest that government stabilization must come from the development of Haiti's economic resources through agricultural and industrial education.

Up to the time of the American intervention, the entire school system of Haiti, from the primary grades up, emphasized classical studies almost to the complete exclusion of industrial education. As a consequence, the children and young men of Haiti have been guided from, rather than toward, productive industry. This is the primary cause of the low productivity of Haiti as contrasted to neighboring countries with soil no more fertile nor climate more favorable than that of Haiti. This emphasis of classical studies and practical exclusion of agricultural and industrial education has necessarily led to the creation of a class of young men who desire to take up professions and occupations such as law, medicine, commerce, and clerical, a great portion of the latter seeking governmental positions. The members of this class do not know how to use their hands and have no idea of the dignity of labor. As a result, there is a regrettable shortage of agriculturists and skilled workers. It is among such a class that revolutions are bred.

The population of Haiti is estimated at well over 2,000,000 people. With improved sanitary conditions and methods of caring for the ill, which are now assured by the well-established department of public health, the population of Haiti will increase far more rapidly than in the past. Unless active steps are taken to increase the productivity, the cost of living is bound to advance and the mass of the people to suffer therefrom. The laws of Malthus show that a population tends to increase in geometric progression while the food supply increases only in arithmetic progression. The cost of living is now low, but unless the soil productivity of the country increases proportionally with the population 25 years from now the cost of living will be high.

Furthermore, Haiti can not look forward to economic independence and a sound financial condition unless there is a material increase in its production.

It is therefore essential that the educational system of Haiti should, at the present time, be designed to furnish agricultural education to the rural classes and industrial education to the urban population. Despite the number of obstacles to be overcome, the Haitian Government is now pursuing this sound policy. The development of agricultural and industrial education will undoubtedly go far toward permanently stabilizing the government and bringing happiness and prosperity to the Haitian people.

In this connection, an innovation in educational methods is about to be introduced by the Haitian Government. The council of state was called into extraordinary session in September for the consideration of special credits and certain urgent laws. At this session, funds were appropriated for the erection of a radio broadcasting station at Port au Prince, and it is expected that this station will be completed in the early spring of 1926. A one-kilowatt broadcasting station will be constructed at Port au Prince with receiving sets installed in the open market places where the market people assemble in the important towns. Each market day, short talks or lectures will be given in Creole to the illiterate peasants on such subjects of educational value as explanation of the Haitian laws, planting and care of coffee and cotton, cultivation of native crops, care of animals, etc. This apparatus will also afford the possibility of diverting the people with music and will tend to unify the country.

COMMERCE

During the year just concluded, the commerce of Haiti has been even more satisfactory than during the previous year. The coffee crop was excellent, and the price continued high. As this is by far Haiti's most important crop, the economic condition is largely gauged by it. As usual, the bulk of this crop, amounting to about 71 per cent of the total exports of the country, was shipped to France; on the other hand, about 76 per cent of the imports came from the United States, with textiles predominating. The dangers of allowing Haiti to become a one or two crop country are realized, and steps are being taken to overcome this danger by stimulating the production, in large quantities, of other crops which lend themselves readily to cultivation in Haiti. Such crops are sisal, tobacco, sugar cane, cotton, rubber, fruits, cashew nuts, and vegetables, the last being especially suitable for cultivation with a view to reaching the New York winter market.

The policy of gradually improving the ports to meet the increase in trade has been continued by the general receiver of customs. Where necessary, new wharves are being constructed, customshouses enlarged and improved, and efforts made to modernize the port facilities in general. The excellent system of lighthouses which has been installed along the Haitian coast has been operated during the past year in a most efficient manner, and the coast guard which is in charge of this work contemplates gradually improving the marking of shoals and channels in all of the important ports of the country.

ROCKEFELLER FOUNDATION

Dr. George R. Payne, representing the international health board of the Rockefeller Foundation, continued, for most of the year, his valuable work in connection with the making of a medical survey of the country. This task was completed early in December, and it is expected that Doctor Payne will shortly return to the United States. It is, however, hoped that the Rockefeller Foundation will continue, in some other form, its much-appreciated assistance to the Haitian people.

CLAIMS COMMISSION

The claims commission continued its deliberations throughout the entire year.

By virtue of the protocol between the United States Government and the Republic of Haiti the claims commission, which held its first public session April 18, 1923, was given the jurisdiction to examine and adjust all pecuniary claims against Haiti except those excluded by Article III thereof. This necessitated the examination of 5,482 items submitted to the commission of verification of unpaid claims under the governments of Gens. Sam. Nord Alexis, and Antoine Simon, known as the Sambour Commission, appointed by decree of September 9, 1911, the claims having originated during the period October 1, 1899, to July 31, 1911.

There were also included for review by the present commission 63,092 items submitted to the commission of verification of vouchers of the floating debt, known as the Fequierre Commission, instituted by decree of November 14, 1916, these claims having originated during the period of August 1, 1911, to December 31, 1915.

The above-mentioned claims have been examined and reviewed by the present commission and final decisions rendered on all but a few items that are still under investigation.

In addition to the Sambour and Fequierre categories, there were before the claims commission at the close of December, 1923, after which date claims were no longer admissible, original claims numbering 4,335. The status of all these claims is indicated hereunder:

Status of claims

	Number of claims	Allowed	Disallowed
Sambour claims less items under investigation.....	5,482	\$927,194.99	\$1,240,190.90
Fequierre claims less items under investigation.....	63,092	726,401.28	3,115,523.44
Domestic also foreign claims in which jurisdiction of present commission was accepted plus items not included in original Sambour and Fequierre awards.....	1,865	1,115,095.83	16,467,461.69
	70,709	2,768,692.10	20,823,176.03

Decisions pending January 1, 1926

	Number of claims	Amount of claims
Claims for losses during political disturbances; these claims including 213 of the foreign claims listed below were heard at points throughout Haiti in May, June, July, 1925; the decisions will be subsequently announced.....	2,146	\$6,747,620.56
Claims pending Jan. 1, 1926:		
Haitian.....	39	1,729,119.86
French.....	212	5,296,171.50
British.....	30	816,306.95
Italian.....	17	164,644.67
German.....	26	580,741.36
Total of undecided claims.....	2,470	8,586,984.34

The total of claims filed will be in excess of the figures shown above, as in many instances claimants have demanded interest to the date upon which awards are rendered which could not be calculated at the close of the period in which claims were receivable.

The column of disallowances includes reductions in amounts claimed, also unexamined claims over which the commission lacked jurisdiction. Total of claims pending, \$15,334,604.90.

NATIONAL BANK OF HAITI

The majority of the stock of the National Bank of Haiti was owned by the National City Co., but the National City Bank, upon the authority of the Federal Reserve Board, has made arrangements to take over the stock at the beginning of the year. This is believed to be distinctly to the advantage of the Haitian Government, as it strengthens the position of the national bank of the Republic.

THE UNITED STATES FORCES

The United States forces in Haiti during the year have consisted of a skeleton brigade of United States marines and a mine sweeper of 950 tons displacement.

During the period covered by this report the strength of the brigade has been gradually decreased until at the present time it consists of 59 officers and 916 men, concentrated at Port au Prince and Cape Haitien.

There was a continuation last year of the high standard of efficiency of the United States forces which reflects great credit on the commanding officer and the officers and men serving under him.

In December Brig. Gen. Ben F. Fuller was relieved as brigade commander by Col. John T. Myers.

According to the established policy martial law has been exercised only on rare occasions. A continuation of the policy of the indoctrination of officers and enlisted men in the necessity of the maintenance of friendly relations with the Haitians has resulted in an extremely small number of conflicts during the year.

THE GENDARMERIE OF HAITI

In May Col. Julius S. Turrill, United States Marine Corps, relieved Lieut. Col. Douglas C. McDougall, United States Marine Corps, as chief of the gendarmerie.

The efficiency of the gendarmerie has been maintained at a high standard during the year, while many improvements have been made and its strength increased 91 officers and men. This brings the total strength of the gendarmerie up to about 2,790 commissioned and enlisted. During the year there was a continuance of peaceful conditions throughout the country, and the inhabitants have gone about their various vocations with the assurance that life and property were fully protected. This feeling of security has been manifested by the vast majority of the population, especially in the rural districts, and has materially assisted in the development of Haiti.

The rural police force, which forms an adjunct of the gendarmerie, was reorganized in January. Champetres, who had been assistants to the chiefs of sections, were abolished, and this organization changed from one chief and two champetres to three sections, to chief for each section. This reorganization has worked successfully, except that in sections comprising large areas the chief of section is unable to completely cover it. Where such conditions exist, it is in-

tended later, when funds are available, to provide one or more assistants in order that the section may be thoroughly policed.

The rural inhabitants have gained great confidence in this new protection afforded by the gendarmerie, and the result has been a general wave of prosperity throughout agricultural areas.

Additional duties were given the gendarmerie during the year in the form of detaching gendarmes as "ministres publiques" in order that police cases might be properly prosecuted before the lower courts. As this class of duty is of considerable importance, it calls for specially selected and trained men.

The officers' school at Hinche, for officers of junior grade upon assignment to the gendarmerie, and the Ecole Militaire, at Port au Prince, have been continued throughout the year and are rendering signal service in the building up of the gendarmerie.

In October the third class of aspirant officers was organized and its work begun at the Ecole Militaire. The course of instruction is two years, one year being devoted to theoretical instruction and one year to practical work with troops. Previous to final graduation an examination is held at Port au Prince.

The national rifle matches were held at Port au Prince the latter part of December. These matches were a great success and speak well for the thoroughness of instruction given to this phase of training by the officers of the gendarmerie.

A continuance of the policy of encouraging athletics has been pursued and the gendarmerie has made a very creditable showing, particularly in soccer football.

In addition to their regular duties gendarmerie officers have continued to act as communal advisers, and at remote posts as representatives of the departments of public works, public health, and the general receiver of customs.

At the present time there are 53 native officers attached to the gendarmerie. One native officer has recently been promoted to the grade of captain and placed in command of an entire district.

Articles for the government of the gendarmerie have been promulgated and published to the service. The gendarmerie regulations have been revised and a pamphlet on gendarmerie courts and boards issued.

Under the supervision of the communal adviser the financial condition of the communes of the Republic has been materially improved. Reports from various communes show that the total communal revenues for the year were 26 per cent over the revenues for the best previous year. This increased revenue has made it possible for the communes to assist the state in sanitary and public works projects within their respective communes.

The excellent condition of the prisons has been maintained throughout the year. The construction program for the national penitentiary is gradually nearing completion.

In February the coast guard took over all the lighthouse service from the Direction General des Travaux Publics. The navy yard at Bizoton has been improved and renovated. The old machinery has been removed from the main building and preparations made for the new machinery which has been ordered.

Special credits voted last year provided for the erection of outpost barracks, and this work is so far advanced that many of these buildings are now ready for occupancy. Some delay has been experienced in securing a suitable site for the gendarmerie headquarters at Port au Prince, but work will shortly commence on this much-needed structure.

FINANCIAL ADVISER AND GENERAL RECEIVER OF CUSTOMS

In my last annual report I pointed out the decided improvement in the economic situation in Haiti, and I felt certain that a pursuance of the policy of development which had been inaugurated would lead to further improvement.

The complete and enlightening report of the financial adviser general receiver of customs, Dr. W. W. Cumberland, confirms this view, and it is gratifying to note that he is, moreover, of the opinion that the prospects for the year 1925-26 are unusually favorable.

The bureau of contributions or internal revenue has been expanded and improved, and while no change has as yet been made in the internal taxes the system of collection has resulted in the proper enforcement of the law and a decided increase in the revenues has resulted. The total internal revenues collected by this bureau during the year amounted to \$817,985.24.

The Palais des Finances has been completed and occupied by the Secretary of State for Finance, financial adviser and general receiver of customs, the deputy receiver, the director general of contributions, and their respective office forces. This centralization of activities, formerly widely distributed, has already lead to closer cooperation.

During the fiscal year the value of imports reached \$20,237,565. This represents an increase of 37.7 per cent over the imports for the previous fiscal year. The total exports for the same period amounted to \$19,403,762, with a 36.87 per cent increase over the year before. The public debt during the fiscal year 1924-25 was decreased by \$1,163,447.49 and funds for amortization were provided. This reduction amounted to 5.05 per cent. At the close of the fiscal year 1924-25 the public debt amounted to \$23,046,252.76.

The customs receipts during the first three months of the new fiscal year have been the largest in the history of Haiti. It is anticipated that the total receipts for the entire year will be large enough to devote a generous amount to debt reduction.

At the close of the fiscal year there existed a cash surplus of \$1,273,568.68. Considering the increased activities of the Haitian Government during the past year in carrying out its program of development, it is truly remarkable that this large cash reserve, representing about 16 per cent of the total receipts of the country, could be maintained.

The policy inaugurated by the Haitian Government of endeavoring to effect economies has been continued throughout the year, resulting in a considerable saving to the state. A much-needed negotiable instrument law has been drafted and is now being considered by the Haitian Government with a view to its early enactment into law. It is beyond question that the putting into operation of this law will meet with the hearty approbation of all sound business concerns in Haiti.

In order to settle the frequently recurring question of what proportion of the Haitian Government's expenditures are devoted to the salaries of American personnel, the financial adviser compiled statistical data which shows that the United States Government is paying monthly in salaries to American officials loaned to the Haitian Government the amount of approximately \$41,350, while the Haitian Government's expenditures for American personnel amounts to but \$35,400 per month. The expenditures of the United States Government, therefore, are 17 per cent greater than those of the Haitian Government for American personnel serving with the Haitian Government.

An idea of the standing of the credit of Haiti may be gauged by the fact that during almost the entire year the series A bonds have maintained a market rating of 95 to 97. The series B bonds, "internal bonds," which a few years ago were selling under 50, are now secure at 80, and a higher advance is anticipated. The series C bonds, issued in exchange for the National Railroad bonds in furthering the plan of reorganization of the railroad, have now a market value of about 92.

PUBLIC WORKS

During the year the activities of this department have materially increased, but its efficient organization has permitted it to handle this increase in a most satisfactory manner. In addition to the regular maintenance and repair service of the department, studies were continued on the irrigation projects of the Plain of the Artibonite and the Plain of Gonaïves. The Rivière Blanche irrigation project was completed. The road system throughout Haiti is gradually being improved and extended, and facilities for travel by automobile during all periods of the year have been greatly improved. This general improvement of roads has resulted in the introduction of autobusses and trucks into Haiti, the traffic of which is rapidly expanding. Trucks are now being employed in many places to bring the coffee to the port. The peasant receives the same price for it as if he sold it at the port and is spared the loss of time involved in the carrying of coffee to the port on the back of his slow-moving "burro."

The Palais des Finances at Port au Prince has been completed and the building program, including new barracks and outpost buildings for the gendarmerie, schoolhouses, customs warehouses, and other public buildings and works is being rapidly pushed to completion.

It is difficult to summarize, in a few words, the extensive work that is yearly undertaken by this service, but a general idea of its activities may be gained from the yearly expenditure which during the period covered by this report amounted to some \$1,506,788, or about one-sixth of the total receipts of the Republic.

PUBLIC HEALTH

The sanitary engineer of Haiti, Commander C. S. Butler, Marine Corps, United States Navy, in his comprehensive report shows the continuance during the past year of excellent health-conditions throughout Haiti. The intensive sanitary campaign carried on in Port au Prince has practically eradicated the anopheles, or malaria-carrying mosquito, from that city. In addition, sanitary measures have been extended to many of the other communes, and as fast as funds will permit this important work will be further extended until it includes every commune in the Republic.

Hospitals and dispensaries are gradually being improved, and the institution of rural dispensaries and clinics, established about two years ago, has been expanded with most beneficial results. All hospitals are now owned by the State.

A complete survey of the quarantine situation has been made; a new quarantine law drafted and plans for a quarantine station and insane asylum near Port au Prince completed. In this connection, the Public Health Service of Haiti was fortunate to have the services of a United States Public Health Service official to assist it in the consideration of the quarantine problem.

It has, unfortunately, not been possible for the Haitian Government to allocate to this department all the funds required, but a sufficient amount has been given to improve decidedly the sanitary and health conditions throughout the Republic and to extend to the sick of the

lower classes modern hospital treatment and nursing, for which they are most grateful.

In addition, the sanitary campaign which is being carried on by the public health service as well as its medical educational efforts and rural clinics have acted to reduce the amount of illness and greatly alleviate suffering throughout Haiti.

THE SERVICE TECHNIQUE OF THE DEPARTMENT OF AGRICULTURE

The service technique has rapidly advanced during the year its carefully planned program for the agricultural development of Haiti. This work, comprising not only agricultural development but vocational education and manual training, is beginning to show results, and I am firmly convinced that a continuance by the Haitian Government of this policy for the next five years will mean the rapid economic expansion of the Republic.

The continuation by the United States Department of Agriculture of its investigations into the possibility of rubber growing in Haiti has been ably assisted by the service technique. These investigations have so far advanced as to demonstrate most clearly the feasibility and practicability of rubber growing in Haiti. A small amount of rubber has already been exported from Haiti, bringing \$1 per pound.

The work in connection with the examination of the soil, making of a topographical survey, and the investigation of dam sites in the plain and valley of the Artibonite has continued during the year, with the result that the soil survey has advanced sufficiently to furnish all necessary data for a careful consideration of the development project involving the irrigation and cultivation of some 65,000 to 80,000 acres of the valley and plain of the Artibonite River. These reports indicate that no serious difficulties would interfere with the carrying out of this project.

The summaries of accomplishments of the various departments of the Haitian Government, supervised by the treaty officials, are herewith appended and demonstrate most clearly the tremendous advance that has been made during the past year in the rehabilitation of Haiti.

With a basis for a sound financial condition already formed, with a material improvement in the economic condition and the execution of plans for productive development going forward, a marked advance is being made toward stabilized government and the bringing of happiness and prosperity to the Haitian people.

President Borno has been the enlightened leader of the Haitian Government in this important work, and had it not been for his unceasing efforts and whole-hearted cooperation in the execution of the provisions of the treaty of September 16, 1915, so great a stride could not have been possible.

In conclusion, it is most gratifying for me to speak of the work performed by the treaty officials. It is unquestionably due to the efficient conduct of their respective organizations that this decided improvement in Haitian affairs has taken place. I can not refer too highly to their loyal, devoted, and capable service.

Mr. BORAH. Mr. President, do I understand we are about to take a vote upon the question of eliminating the statement from the Record?

Mr. WADSWORTH. The question is upon an appeal from the decision of the Chair.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate? For the information of the Senator the Chair will ask the Clerk to read from the transcript of the Official Reporter.

The Chief Clerk read, as follows:

Mr. WADSWORTH. May I ask if the article or petition or memorial is signed by a foreigner?

Mr. KING. It is signed by a foreigner.

Mr. WADSWORTH. I desire to call attention to the rule of the Senate in that respect. Paragraph 5, of Rule VII, provides:

"But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President."

Mr. KING. It is not a memorial or a petition.

Mr. WADSWORTH. But it is a paper.

Mr. KING. It is a paper.

Mr. WADSWORTH. Mr. President, I raise the point of order that the reception of that article by the Senate is out of order, and, if that point shall be sustained by the Chair and ultimately by the Senate, I shall ask that the article be stricken from the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The Chair will rule that the point of order is well taken.

Mr. REED of Missouri. Let it be understood that those proceedings occurred after the paper had been read, and after another Senator had continued making remarks.

Mr. KING. Mr. President, will the Senator from Idaho yield?

Mr. BORAH. I yield.

Mr. KING. After I had made some remarks relating to our occupancy and expressed my opinion that it was improper, I stated, as in the beginning I stated, that I had a memorandum

written by a foreigner, Mr. Perceval Thoby, who was formerly Haitian chargé d'affaires, and after making some comment upon our occupation I then—

Mr. SHIPSTEAD. Mr. President, may I ask the Senator if the paper in question was addressed to the Senate of the United States?

Mr. KING. Oh, no; it is simply a memorandum by Perceval Thoby, former Haitian chargé d'affaires at Washington, official representative of certain committees of private citizens. At the conclusion of my statement I said:

I ask that this protest and this memorandum, which recite the facts as Mr. Thoby understands them to be may be read for the information of the Senate and of the American people.

The PRESIDING OFFICER. Is there objection?

Mr. KING. In my time.

The PRESIDING OFFICER. The Chair understands that no document of this kind can be read if there is objection without a vote of the Senate under Rule XI. Is there objection?

There was no objection, and it was received and read.

Mr. BORAH. Mr. President, as there is to be a vote taken upon the matter, I want to say a word before I cast my vote. The clause of the rule which the Senator from New York invokes reads as follows:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received unless the same be transmitted to the Senate by the President.

It may be, owing to the phrase "or other paper," that technically it could be argued that the document comes within the rule.

We occupied Haiti some years ago and have been in possession of the territory from time to time, and I presume many Senators have received—at least I have—communications from Haitian people contending that great wrongs have been practiced toward the Haitian people by those who represented the United States, our officers and representatives. I know of no possible way for us to present that question to the Senate when it comes along, as it will shortly under a resolution, other than to read such statements from the Haitian people. It does not seem to me to come within the spirit of the rule to exclude these people from a hearing through a Senator who sees fit to present their memoranda or statement of facts to the Senate. It has been done on previous occasions. In the debates upon the Haitian question a number of articles or papers or statements were read as a part of the debate or as a part of the remarks of the Senator discussing the question.

This statement is not in the nature of a petition to the Senate or a memorial to the Senate. It is a memorandum or a statement of facts which has been presented to the Senator from Utah, and the Senator has read it here and vouches for it. In view of our relationship with Haiti and the contention which is now going on as to what has been done in Haiti or as to what the results have been, it seems to me we ought to be willing to receive a memorandum from the people who contend against the position which is contended for by our own officers. For that reason, even if it were the rule technically to exclude it, I would not be content or could not get my consent to vote to deny these people an opportunity to be heard, and certainly the only way they can be heard in debate or argument here is through a statement of facts presented by a Senator who takes responsibility for the statement of facts.

The PRESIDING OFFICER. The Chair desires to make a statement. In view of the fact that the Senator from Idaho was not present when the paper was read, the Chair, having listened to the reading, holds the opinion that the paper was more or less in the nature of a petition and memorial, owing to the fact that the last clause in the memorandum reads as follows:

The 61 committees of the Union Patriotique have intrusted me with the mission to lay these facts before you in the hope that justice will be done.

These words being so similar to the wording of many petitions and memorials, the Chair ruled that the point of order was well taken.

Mr. BORAH. As I understand, it is a memorandum which was furnished to the Senator from Utah. I have similar statements, very recently received, but they were presented to me as a Senator. I have not seen fit as yet to present them to the Senate. I shall undoubtedly do so, if I am permitted to do so under the rules of the Senate, when we come to discuss that question. I am not in sympathy with all that has been done by the United States in Haiti. I think, at least, there are two sides to the question. Certainly those who think there ought

to be modifications of the practices which have been had heretofore would be justified in appealing to the facts as the facts are presented to them, even if they are presented by Haitian people.

It is a little different than if we were receiving a memorial or petition from some one whose territory we had not occupied and from a people with whom we had not come in contact as we have in this instance. We have practically been in possession of their territory. We have invaded their sovereignty. Whether it was justified or not is a matter about which we are going to have some discussion, and it will be discussed until the matter is finally settled. I can not believe it is quite within the rule.

The PRESIDING OFFICER. The Chair will say to the Senator that before ruling the document was examined, and the examination disclosed that it was not addressed to the Senator who presented it.

Mr. NORRIS obtained the floor.

Mr. KING. Mr. President, will the Senator from Nebraska yield to me to make a brief statement?

Mr. NORRIS. I only want to make a short statement myself, but I will yield to the Senator from Utah.

Mr. KING. In reply to the suggestion of the Chair that the last paragraph, which the Chair read, apparently was addressed to the Senate; may I say I do not have that view. Upon various occasions during the past four or five years I have offered resolutions in the Senate calling for the withdrawal of the United States from Haiti. I have received many letters from Haitians in regard to my efforts to free the Haitian Government from the control of the United States, and in regard to what they contend is the illegal occupancy of their country by the military forces of the United States. Mr. Thoby came to the United States a few days ago, and called upon me and discussed conditions in his country. He prepared the memorandum to advise me of what he believed to be the conditions in his country. He and other Haitians regard me as their friend and one who is interested in their welfare. Accordingly this memorandum was presented to me that I might have the benefit of their views and be able to do what little I could to change conditions which they believe to be unjust and oppressive. I brought the memorandum here myself. Mr. Thoby did not bring it, nor did he ask me to present it to the Senate or to anybody in person.

Mr. NORRIS. Mr. President, I am concerned with the precedent we are going to establish one way or the other more than I am with the merits of the particular case. It is so clear to me that I want to say just a few words directly on the point of order, which is the question now before the Senate involved in the appeal from the decision of the Chair.

If the decision of the Chair shall be sustained, then we must all remember if that precedent is to be enforced that we shall have almost curtailed the right of free speech in this body. It is perfectly plain upon a reading of the entire paragraph and other paragraphs of the rule that it has no application whatever to an instance of this kind. However, I wish to read something besides that paragraph of the rule. First I am going to read the paragraph which was invoked in raising the point of order:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

That is part only of one paragraph of several paragraphs of Rule VII dealing with petitions and memorials. There can be no doubt, as I think I am going to convince the Senator from New York, that his point of order can not be sustained, and he should not desire it to be sustained. If it shall be sustained, then hereafter any Member of this body who is addressing the Senate and has a letter or memorandum from some citizen of Canada or Mexico or even from the city of Washington, if it should be a man or a woman who is not a citizen of the United States, can not have it read as a part of his remarks; he will not dare read it himself. Now, let us see what we are talking about. Paragraph 4 of this same rule, referring to petitions and memorials, states:

Every petition and memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendments, except to add instructions.

5. Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate.

Now comes the particular clause which has been invoked for the basis of the decision of the Chair:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received unless the same be transmitted to the Senate by the President.

Reading right on, the rule provides:

6. That only a brief statement of the contents, as provided for in Rule VII, paragraph 5, of such communications as are presented under the order of business "Presentation of petitions and memorials," shall be printed in the CONGRESSIONAL RECORD, and that no other portion of such communications shall be inserted in the RECORD unless specifically so ordered by a vote of the Senate, as provided for in Rule XXIX, paragraph 1, except that communications from the legislatures or conventions, lawfully called, of the respective States, Territories—

And so forth.

The rule is referring to petitions and memorials that come to the Senate as such and are presented under the order of business, as has been stated, of petitions and memorials. That does not apply to this case; there is nothing of that kind before the Senate now. This is not a petition; it is not a memorial such as is in contemplation in the rule here. It has no reference to a petition—no connection whatever with it. In the morning hour, when we are presenting morning business, there is a place, as the Chair will find in the order of business before him on the desk, which provides for petitions and memorials.

If a petition or memorial, coming under that head, is directed to the Senate or is presented by a Member directed to the Senate and is signed by an alien, this particular provision applies. Nothing of that kind has happened here. This is not, under any construction that one can put upon it, a petition or memorial to the Senate which has been presented in that way. If it were a petition or memorial, and had the right to come here, then the first thing that would have to be done would be to refer it to the proper committee, as is done every morning when we have morning business.

Mr. WADSWORTH. Mr. President—

Mr. NORRIS. I yield to the Senator from New York.

Mr. WADSWORTH. I ask this question in a perfectly friendly way.

Mr. NORRIS. Oh, yes; I am making my observations in that way; but I do not want the Senator to make a mistake.

Mr. WADSWORTH. What is the Senator's idea as to the use of the phrase "or other paper"? Why was that language used?

Mr. NORRIS. I do not know why it was used.

Mr. BRATTON. Mr. President, will the Senator from Nebraska yield to me?

Mr. NORRIS. Yes.

Mr. BRATTON. In response to the question of the Senator from New York [Mr. WADSWORTH], I desire to say that I think it is the rule in all legislation and rules of this kind that where certain persons or things are enumerated and such enumeration is followed by general language of this character, the general language includes only others of the same kind or species. For instance, if in a statute certain felonies are enumerated, and the statute uses the word "larceny," which has a dual meaning—petty larceny and grand larceny—the courts everywhere have held that the word "larceny" as used in such a case is limited to grand larceny and does not include petty larceny; and likewise if a statute uses the word "felony" and enumerates a number of felonies, and provides "or other offenses or other crimes," the general language is confined to crimes falling within the same class. So in this rule where the language used is "petition or memorial or other paper," it must be a paper in the nature of a petition or a memorial or falling within that category, under the uniform rule of construction of rules and legislation, National, State, and otherwise. So that the phrase "or other paper" as used in this rule means the same kind or the same kin or the same class and can not mean anything beyond that. So that when the Senator from New York expressly disclaimed the use of the words "petition or memorial" and did not desire to bring this paper within that class—

Mr. WADSWORTH. I did not take that attitude.

Mr. BRATTON. Does the Senator say it is a petition or a memorial?

Mr. WADSWORTH. No; I do not contend that technically it is a petition; but I think the language of the rule was meant to cover more than petitions.

Mr. BRATTON. Unquestionably the phrase "or other paper" is confined to papers of the kind or class of a petition or memorial, and if a paper does not fall within that class the rule does not apply.

Mr. NORRIS. Mr. President, I think the Senator from New Mexico has given a good explanation of the rule. I

was going to call the attention of the Senator from New York again to the rule. It starts out by saying:

Every petition or memorial—

Mr. WILLIAMS. Mr. President, may I make an inquiry? The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. NORRIS. I yield, but I will never be able to complete my explanation if I do not have an opportunity to do so pretty soon.

Mr. WILLIAMS. The word "petition" as used in paragraphs 4 and 5 of Rule VII is the type of petition which is referred to in the first amendment to the Constitution, is it not, which will be found on page 389 of the manual?

Mr. NORRIS. I did not catch all of the Senator's question. Will he please repeat it?

Mr. WILLIAMS. I say the word "petition" as used in the rule is the same word "petition" as used in Amendment I to the Constitution of the United States as found on page 389 of our manual.

Mr. GEORGE. Does the Senator mean the first amendment to the Constitution?

Mr. WILLIAMS. Yes; which recites that—

The right of the people peaceably to assemble and to petition the Government for a redress of grievances—

"Petition the Government." The word "petition" as used in paragraphs 4 and 5 of Rule VII is that type of petition, is it not?

Mr. NORRIS. The first amendment to the Constitution reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Mr. WILLIAMS. Yes; and the word "petition" as there used has the same significance as the word "petition" which is used in paragraphs 4 and 5 of Rule VII, has it not?

Mr. NORRIS. I do not know; but it is not material to assert or to deny that proposition, as I understand it.

Mr. WILLIAMS. It does become pertinent to inquire whether this is a petition or a memorial.

Mr. NORRIS. No; I do not think it is important. It does not make any difference whether one calls it a petition or a memorial. The rule applies to both petitions and memorials.

Mr. WILLIAMS. My point is that we can not make a rule which would be in contravention of the Constitution of the United States.

Mr. NORRIS. No; I do not think we could; but, of course, it might be held, I presume, that even under that provision of the Constitution such a petition as there referred to would have to come from a citizen of the United States or an American State or legislature or municipality, or something of that kind, and not from a citizen or subject of a foreign country.

Mr. WILLIAMS. Paragraph 5 provides that petitions, memorials, or other papers signed by citizens or subjects of a foreign power shall not be received.

Mr. NORRIS. Yes.

Mr. WILLIAMS. If we had entered the League of Nations, had taken a mandate of Armenia, were in occupation of Armenia, and the Armenians had grievances against the officers and soldiers of the United States for the treatment they were being accorded in Armenia, could the second sentence of paragraph 5 be applied to them as being citizens or subjects of a foreign power?

Mr. NORRIS. I presume they would be citizens or subjects of a foreign power; I presume we could make reasonable rules by which we would require them to present their petitions or memorials to the Senate through the President of the United States; and that, perhaps, that would not be a violation of the Constitution; but I think that is entirely immaterial. We do not have that case before us. We have not before us any petition or memorial of any kind coming from anybody.

Mr. WILLIAMS. The same situation would be applicable, would it not, if we had been or were in possession of Haiti?

Mr. NORRIS. No. If we were in possession of Haiti, as we are, and a citizen of Haiti wanted to write to a Senator, a Member of this body, there is not anything in the Constitution of the United States or the rules of the Senate that would prohibit him; and if a Senator wants to read a letter in the Senate written by a citizen of Haiti, there is not anything in the Rules of the Senate or in the Constitution of the United States that prohibits him from doing that.

Mr. WILLIAMS. I quite agree with the Senator.

Mr. HARRELD. Mr. President, I should like to ask the Senator from Nebraska a question.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. NORRIS. I started to answer the question of the Senator from New York [Mr. WADSWORTH], but every time I started some other Senator interrupted me. I should like to go a little further into this question, because I am interested in it. Before I am interrupted any further, let me say a word while I have the floor.

I think the explanation made by the Senator from New Mexico [Mr. BRATTON] is a full answer to the question of the Senator from New York, but, in addition to what he said, I want to call attention again to the wording of the rule. First, it starts out and provides:

Every petition or memorial shall be signed—

And so forth. Then it provides:

But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received.

It is referring to the reception of petitions and memorials and the framers of the rule proposed to include in it something else that might be considered, perhaps, as a petition or a memorial, or, to be technical, that might be included if it did not come within the technical definition if it were presented to the Senate as such petition or such memorial, even though technically it would not be a petition or memorial or other paper. If it comes in that form—if it is properly here and comes through a message from the President, then it is the duty of the Presiding Officer at once to refer it to the proper committee. That did not happen in this instance.

Mr. WADSWORTH. And yet I cited an instance where a Senator presented a paper signed by a British subject and the Chair held that it could not be presented.

Mr. NORRIS. All right; and this is not presented. It is part of the remarks of the Senator from Utah. Here is a memorandum—as a matter of fact, I understand in this particular case made for him—intended for his consideration, and he has it read here as a part of his remarks. It is true that he had it read by the clerk; but suppose he had read it himself—would the Senator contend that he would not have the right to read it as part of his remarks? And are we to go so far as to say that because of this rule if I have a letter from a man over in Canada I can not read it here?

I have read a good many letters from Canada; I have listened many times to letters written by men who were not citizens of the United States as part of the remarks of other Senators. The Senator would not contend that that would not be allowable, would he?

Mr. WADSWORTH. I will confess that it depends a good deal on the nature of the communication. I am human enough to state that.

Mr. NORRIS. I have nothing involved in this discussion except a desire to do what I believe is our duty—to save the Senate from taking a step that will bring us lots of trouble in the future.

Mr. WADSWORTH. May I interpose this observation: My idea of the use of the words "or other paper" is that they were intended to include those other papers or documents which technically could not be called petitions or memorials but which nevertheless were designed to influence the action of the Senate of the United States and to influence public opinion in the United States even to the extent of using scurrilous language and making scandalous charges against the United States Government and its dignity. This paper comes within an ace of doing that.

Mr. NORRIS. I think I see the Senator's point, and I think there is something in it. Still, that would apply just the same, I will say to the Senator, if the Senator undertook to read the article. No Senator would have a right to read a scurrilous article of that kind.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. NORRIS. Yes.

Mr. LENROOT. Is there not a rule of the Senate that if any paper is read, even by a Senator, objection may be made, and he must then have the consent of the Senate?

Mr. WADSWORTH. Yes.

Mr. LENROOT. We decided just to-day that it could not be done otherwise.

Mr. FLETCHER. Mr. President, does it not make a difference if the paper was ruled out on objection? In the first place, the paper to which the Senator from New York refers was in the nature of a petition, and immediately its reception was objected to. In this case its reception was not objected to.

Mr. NORRIS. I think in this case, taking this language in connection with all the surrounding language that I have

read—and I did not read all of it—taking it as a whole, there can be but one construction. It applies to something that is presented as a memorial or as a petition to the Senate itself. I suppose the words "or other paper" are intended to cover a case like the Senator himself has described, in which, by naming the document something else—a letter, for example—and at the same time presenting the essential features of a memorial or a petition, an attempt might be made to avoid the rule, and then this would apply. It says "or other paper"; but we are talking about memorials or petitions, nothing else, all through this part of Rule VII. The rule has no reference to debate that is going on in the Senate. It has no reference to a paper that a Senator undertakes to read. Other parts of the rules apply to that.

I think a fair, honest construction of this language will confine it to those things that are presented to the Senate itself as memorials or petitions. The words "other paper" I think are described by the Senator from New York himself when he says that it may be a paper not called a memorial, with the object of getting something before the Senate by naming it something else, and saying it is a letter, a memorandum, and so forth, naming it something else; but if in fact it is or possesses the essential features of a memorial or a petition, then, by whatever name it may be designated, this rule applies, where it comes, as other petitions and memorials do, before the Senate in the morning hour.

That is what we are talking about in these rules, about that order of business. It is so stated distinctly. That is all that it applies to. So it seems to me that if this is objectionable it must be on account of some other provision of the rule and not the one that is invoked here.

Mr. WADSWORTH. Mr. President, will the Senator yield for a moment?

Mr. NORRIS. Yes; I yield the floor.

Mr. WADSWORTH. Mr. President, I see very plainly that there is a grave difference of opinion on the interpretation of the second sentence of paragraph 5 of Rule VII; and I am frank enough to say that I can see that there is some danger in establishing the precedent which it is contended would be established were the ruling of the Chair in support of my point of order sustained by the Senate. I can see the point that is made in that connection. Perhaps the Senate will be somewhat out of patience with me for having raised the point of order and being instrumental in prolonging the session this afternoon. I did it, of course, with the utmost sincerity.

Perhaps I can reach the objective which I had principally in mind when I heard this thing read by requesting permission to withdraw the point of order and moving to expunge this paper from the RECORD.

Mr. NORRIS. I hope the Senator will do that.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Chair understand that the Senator withdraws the point of order?

Mr. WALSH. Before we take that course with respect to this matter I desire to add my view to that expressed by the Senator from New Mexico [Mr. BRATTON] that the Senator from New York is obviously giving too wide an application to the general language of this rule, "or other paper."

The rule was very accurately stated by the Senator from New Mexico; namely, that whenever specific language is used in a statute, specific items are named, and then general language follows, that general language is to be restricted in its application to conditions quite like those that precede. The rule is expressed by a Latin expression in the law, "*ejusdem generis*"; and I sent out and got the volume which gives us the application of that rule:

"*Ejusdem generis*" means of the same kind or species. The words are used to designate a rule of construction that "When an author makes use, first, of terms, each evidently confined and limited to a particular class of a known species of things, and then, after such specific enumeration, subjoins a term of very extensive signification, this term, however general and comprehensive in its possible import, yet, when thus used, embraces only things '*ejusdem generis*'"—that is, of the same kind or species—with those comprehended by the preceding limited and confined terms.

That rule is applicable not only to statutes but to wills and to contracts and all papers of that kind. Thus, if we had a statute saying that no note, I O U, or other instrument should be valid without a witness, it would be confined to instruments practically like those theretofore named in the statute. So, beyond cavil or question, we must read these words "no petition or memorial or other paper of like character," and so forth. That, however, it will be observed, is a rule that comes under the division, as stated by the Senator from Nebraska, of morning business, and obviously contem-

plates presentation to the Senate in these informal ways; not matters that are introduced in the body of a speech.

Mr. PEPPER. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. I yield to the Senator from Pennsylvania.

Mr. PEPPER. I entirely agree with what the Senator from Montana [Mr. WALSH] has said about the rule of construction; but I take it that it is reasonably clear that under the rule of ejusdem generis a remonstrance would be another paper in the same category as a petition or a memorial. Indeed, I find in Jefferson's Manual that remonstrances which call for no action, which are a protest against something done, are in the same category as petitions which pray for action. So I can very well conceive that this document might be regarded as a remonstrance, however intemperate and improper, against what is being done by the United States, and I can conceive that it might be included in the category of things covered by the rule that we are disputing.

But, Mr. President, I suggest that the test is whether the use intended to be made of the document under discussion is the individual use of the Senator who propounds it, or whether he is calling for action by the Senate in respect of the document that he propounds. This rule is a restraint on what the Senate may do with a document presented to it for action. The rule provides that the Senate may not receive documents of a certain class. This rule never becomes operative until there is a proposal that the Senate shall receive it. When there is a proposal that the Senate shall receive it the Senate may not receive it if it be of the character which the rule specifies.

In the absence of a request that the Senate receive the document, it seems to me that this rule can have no application. Therefore, I shall have to vote against the view taken by the Chair; and I hope the Senator from New York will persevere in the course that he has suggested.

Mr. WADSWORTH. Mr. President, as I said a moment ago, I myself am impressed with the argument that the ruling of the Chair, which was upon the point of order raised by myself, if sustained by the Senate, might very well set up an embarrassing precedent which would have an unfortunate effect upon the freedom of debate here in the Senate. I can see that there are at least two sides to this proposition, and of course I would not want to be a party to any effort to bring the Senate to such a conclusion, which might be a dangerous conclusion in matters far removed from this particular case.

With an expression of regret, which perhaps I owe to the Senate for being the cause, in part at least, of keeping it here until 20 minutes of 6, I ask unanimous consent to withdraw the point of order, giving notice at the same time that if that is agreed to by the Senate I shall move to expunge this memorandum or other paper from the Record.

The PRESIDING OFFICER. Is there objection?

Mr. REED of Missouri. Mr. President, the Senator ought to include in that, if he is to withdraw his point of order, that the ruling be likewise withdrawn, so that it shall not appear here as a precedent to bind us.

Mr. WADSWORTH. Yes.

The PRESIDING OFFICER. Does the Senator from Missouri withdraw the appeal?

Mr. REED of Missouri. I will withdraw the appeal with the understanding that the ruling will be withdrawn.

The PRESIDING OFFICER. The Chair so understands. Without objection, the point of order, the ruling, and the appeal are all withdrawn.

Mr. WADSWORTH. Now, Mr. President, I simply desire in a sentence or two to express my view of this matter.

Here is a memorandum or other paper prepared by a subject or citizen of a foreign power, who at one time was chargé d'affaires in the legation of that power here in Washington, which contains some extraordinarily bitter denunciations of the policies of the United States Government, involving, among other things, the charge that the United States through its policy has spread vice and corruption in this other country, and charging our Government and its agents with brutality to an extreme degree. Coming as it does from a foreigner, from a citizen or subject of another power, to me at least it is offensive, and I do not like to see it printed in the CONGRESSIONAL RECORD.

I make that motion.

Mr. KING. Mr. President, I have read that statement, and the impression which it gives to me is quite different from that which has just been expressed by the Senator from New York. I can understand, however, that there are some criticisms there of the conduct of officials of our Government—I refer particularly to those military authorities who are in charge in Haiti—which might be offensive to some Senators and to other Americans, and might be construed as an attack, at least, upon

some branch of the Government, if not upon the Government. I do not regard it in that light, but in deference to the views some Senators may have with respect to that matter, I think I shall suggest that the document be referred to the Committee on Foreign Relations, and I shall take their judgment.

Mr. REED of Missouri. And that it not now be printed in the Record?

Mr. KING. And that it not be printed in the Record now.

Mr. WADSWORTH. So far as I am concerned, that will be satisfactory, the understanding being that it will be expunged from the Record of to-day's proceedings.

Mr. KING. The Committee on Foreign Relations will pass upon it.

Mr. BORAH. I would like to have the suggestion of the Senator from Utah as to what the Senator expects us to do with it.

The PRESIDING OFFICER. Does the Senator from New York withdraw his motion?

Mr. WADSWORTH. With that understanding, the motion is withdrawn.

The PRESIDING OFFICER. The Senator from Utah asks that the paper be referred to the Committee on Foreign Relations. Is there objection? The Chair hears none, and it will be so referred.

Mr. ODDIE. Mr. President, I wish to express my approval of what has just been done, because I have unlimited confidence in the personnel of the Foreign Relations Committee. I wish further to say that any papers of this kind should also be referred to the State Department. I know that that department will give any statement from the subjects of Haiti every consideration necessary and that those people will have justice from this Government.

Mr. KING. Mr. President, will the Senator yield?

Mr. ODDIE. I yield.

Mr. KING. Of course, the Senator does not mean that we have to ask the State Department before we proceed. Does the Senator desire to have printed in the Record the statements for Mr. Borno and other foreigners which he has just offered?

Mr. ODDIE. I want that statement to go in just as it is, because it is an official document.

Mr. KING. Then I say to the Senator that he may expect a reply to-morrow.

Mr. ODDIE. I am perfectly willing to listen to a reply.

MUSCLE SHOALS

Mr. HARRIS. Mr. President, I do not desire to offend the Senator from Alabama [Mr. HEFLIN] or to infringe on any of his assumed rights as the President's spokesman in the Senate relative to the development of Muscle Shoals, but I ask unanimous consent to have printed in the Record the authoritative views expressed by the White House spokesman of the President on Muscle Shoals which was published in yesterday's Evening Star and this morning's Washington Post. This official statement shows conclusively that the President regards this question as a matter of nitrates for national defense and fertilizers for the farmers, and that it is not regarded by him as a water-power proposition.

Yesterday in my address in the Senate on Muscle Shoals resolution I called attention to the fact that the debates had been on other matters rather than the primary purpose for which the plant was originally intended—manufacture of nitrates to be used in making munitions in time of war and to manufacture fertilizer in time of peace, so the plant would be kept always ready for capacity production and at the same time enable farmers to get cheaper fertilizer.

I feel absolutely sure that Congress, with the cooperation of President Coolidge, will see to it that neither the Water Power Trust nor the Fertilizer Trust gets charge of this property to be used for their selfish end.

There being no objection, the matter was ordered to be printed in the Record, as follows:

PRESIDENT STRESSES NEED FOR NITRATES—WANTS MORE ATTENTION PAID TO DEFENSE SIDE OF MUSCLE SHOALS PROJECT

While President Coolidge has expressed warm approval over passage by the Senate of the Muscle Shoals leasing bill, it was emphasized at the Executive Offices yesterday that he feels too little attention has been devoted to the national-defense side of the question. Primarily this project, the White House spokesman pointed out, was for the manufacture of nitrates so that the Nation would be independent should command of the seas be wrested from it in the event of a war.

While the country has spent and is spending large sums of money for the Army and the Navy and for the production of armament, all this would be worthless in case of war if the needed materials for the production of high explosives were not available, it was pointed out. Chief of these is nitrates.

At the present time they are not available in this country. With the Muscle Shoals project developed to the limit, the spokesman advised, an adequate reserve supply would be available, while at the same time the agricultural interests of the country would be able to have the surplus, thus keeping down the price now considered above the fair margin because of the Chilean monopoly.

WAR DEPARTMENT APPROPRIATIONS

Mr. WADSWORTH. I ask that the War Department appropriation bill be laid before the Senate and proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8917) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes.

Mr. JONES of Washington. The Senator from New York desires to finish the consideration of his bill this evening if possible.

The PRESIDING OFFICER. The clerk will state the next amendment of the Committee on Appropriations.

The CHIEF CLERK. The next amendment is on page 43, line 16, in the items for Medical and Hospital Department, to strike out "\$1,197,011" and to insert in lieu thereof "\$938,255."

Mr. WADSWORTH. Mr. President, several Senators have suggested to me that they would like to give special consideration to and perhaps indulge in debate in connection with several items in the bill. It is now 12 minutes to 6, and it is apparent that we could not make much progress this evening without attempting to keep a quorum present.

The Senator from Missouri [Mr. REED] has a matter he desires to present, and I had an understanding with him that he might bring it up while the Army appropriation bill was pending. Therefore I yield to him now.

NATIONAL MILITARY PARK, WESTPORT, MO.

Mr. REED of Missouri. Mr. President, I do not want to impose on the good nature of the Senate, but it is a simple bill. I ask unanimous consent for the consideration of Senate bill 2479, to declare a portion of the battle field of Westport, in the State of Missouri, a national military park, and to authorize the Secretary of War to acquire title to the same on behalf of the United States.

Mr. WARREN. I understand that we are proceeding by consent of the Senator from Idaho [Mr. GOODING], who has in charge of the bill to amend the interstate commerce act, and whom I do not see in the Chamber at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. REED of Missouri. If the bill shall provoke debate of any length, I will lay it aside.

Mr. JONES of Washington. I would like to have the bill read.

The Chief Clerk read the bill by title.

Mr. JONES of Washington. I have no objection to the consideration of the bill.

Mr. WADSWORTH. If the Senator will permit me to interrupt him, I may shorten the proceedings. This bill is drafted along parallel lines with the provisions of other measures already passed for the establishment of military parks. It authorizes the acquisition of the necessary land. Later on the financial phase of the matter will have to be considered by the Committee on Appropriations.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2479) to declare a portion of the battle field of Westport, in the State of Missouri, a national military park and to authorize the Secretary of War to acquire title to same on behalf of the United States, which had been reported from the Committee on Military Affairs with amendments: On page 1, line 7, after the word "Westport," to strike out the words "to foster, in rising generations of Americans, love of the institutions of liberty which there triumphed, the history of that memorable battle at once the last and supreme effort of southern armies in the trans-Mississippi West and the final clash of bitter border enmities may be appropriately preserved on the ground where the deeds of fine courage and high devotion were wrought"; on page 2, line 7, after the word "park," to insert the words "to be known as Westport National Military Park"; on page 2, line 9, after the word "States," to strike out down to and including line 21, as follows:

that is to say, that tract of land defined and bounded by streets and avenues of said municipality as follows: On the north by Fifty-first Street, on the east by Wornall Road, on the south by Fifty-fifth Street, and on the west by Bellevue Avenue; that the area so defined shall be

known as the Westport National Military Park, being the tract heretofore occupied by the Kansas City Country Club.

SEC. 2. That the Secretary of War, upon the passage of this act, shall proceed to acquire said tract of land by purchase, condemnation, or otherwise, and provide for the proper custody and uses of same conformably with the purposes hereof.

On page 2, after the matter just stricken out, to insert a new section, as follows:

SEC. 2. In order to establish said Westport National Military Park, the Secretary of War is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, at a cost not to exceed \$600,000, which sum is hereby authorized to be appropriated, a tract of land lying within the municipality of Kansas City, in the State of Missouri, defined and bounded by streets and avenues of said municipality, as follows: On the north by Fifty-first Street, on the east by Wornall Road, on the south by Fifty-fifth Street, and on the west by Bellevue Avenue, being the tract heretofore occupied by the Kansas City Country Club.

On page 3 to insert a new section, as follows:

SEC. 3. The Secretary of War shall be charged with the maintenance and administration of said park and regulations for its maintenance and use shall be prepared and issued under his direction and with his approval. In so far as appropriations will permit he shall cause the necessary roads to be opened and repaired, the battle lines to be suitably marked, and such labor and services to be employed as may be necessary to carry out the purposes of this act.

On page 3 to insert a new section, as follows:

SEC. 4. It shall be lawful for any State that had troops engaged in the battle of Westport to enter upon the lands of the Westport National Military Park for the purpose of marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed method of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary: *Provided further*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State.

On page 4 to insert a new section, as follows:

SEC. 5. If any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injury any tree, bush, or shrubbery that shall be growing upon said park or shall cut down, fell, or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of said park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, and is found guilty thereof before any justice of the peace in the county in which the offense may be committed or any court of competent jurisdiction, he shall for each and every offense forfeit and pay a fine of not less than \$5 or more than \$50, one-half for the use of the park and one-half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the county where the offense may be committed.

So as to make the bill read:

Be it enacted, etc., That, as was done to memorialize the heroisms of their comrades of the armies of the Civil War at Gettysburg in the East and at Chickamauga and Shiloh in the Central West, so in like manner to perpetuate the memory of the splendid valor of the men of the Southwest at Westport, a portion of that battle field lying within the municipality of Kansas City, in the State of Missouri, is hereby declared to be a national military park, to be known as Westport National Military Park, whenever title to same shall have been acquired by the United States.

SEC. 2. In order to establish said Westport National Military Park, etc.

SEC. 3. The Secretary of War shall be charged with the maintenance and administration of said park, etc.

SEC. 4. It shall be lawful for any State that had troops engaged in the battle of Westport to enter upon the lands of the Westport National Military Park, etc.

SEC. 5. If any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, etc.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LONG-AND-SHORT-HAUL CLAUSE OF INTERSTATE COMMERCE ACT

Mr. PITTMAN. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 575) to amend section 4 of the interstate commerce act.

ADJOURNMENT

Mr. JONES of Washington. I move that the Senate adjourn. The motion was agreed to; and the Senate (at 5 o'clock and 50 minutes p. m.) adjourned until to-morrow, Thursday, March 11, 1926, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 10 (legislative day of March 9), 1926

UNITED STATES ATTORNEY

Peyton Gordon, of the District of Columbia, to be United States attorney, District of Columbia. (A reappointment, his term having expired.)

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10 (legislative day of March 9), 1926

MEMBER OF FEDERAL TRADE COMMISSION

Charles W. Hunt.

SOLICITOR OF THE TREASURY DEPARTMENT

Robert J. Mawhinney.

UNITED STATES ATTORNEY

Walter G. Winne to be attorney, district of New Jersey.

UNITED STATES MARSHAL

Francis Marion McCain to be marshal, western district of Kentucky.

POSTMASTERS

COLORADO

Charles Lawton, Fort Logan.

Kiah C. Brown, Merino.

KANSAS

Melvin L. Holaday, Anthony.

Mabel I. Driggs, Bern.

Stephen T. Roach, Englewood.

Marion W. Covey, Miltonvale.

MICHIGAN

Isaac Hurst, Akron.

Edwin L. Fox, Athens.

Webster C. Casselman, Baroda.

Percy W. Totten, Brooklyn.

Olin M. Thrasher, Mount Morris.

Amos H. Crosby, New Buffalo.

NEBRASKA

Frank A. Millhouse, Sumner.

NEW MEXICO

Guy Miner, Des Moines.

Charles C. Lee, Las Cruces.

OHIO

Clarence E. McCafferty, Chauncey.

Charles E. John, Elida.

Harry F. Mikesell, New Madison.

OKLAHOMA

Eugene J. Blossom, Atoka.

George N. Davina, Colony.

William I. Fisher, Cordell.

Edwin B. Minich, Eldorado.

Jason A. N. Horton, Hunter.

Charles L. Bell, Lindsay.

Walter S. Florence, Madill.

Lee R. Johnson, Olustee.

Edward McKim, Prague.

Bernie A. Cockrell, Tonkawa.

Logan G. Hysmith, Wilburton.

TEXAS

John H. Atterbury, Benjamin.

Emil Gold, Kerrville.

John H. Sharbutt, Lueders.

Ada Rodgers, Miami.

Frank L. Aten, Round Rock.

UTAH

Frank M. Shafer, Moab.

WEST VIRGINIA

Oscar T. Maynard, Williamson.

WISCONSIN

Lester B. West, Barron.

Alexander C. Magnus, Glen Flora.

Mamie B. Johnson, Kennan.

Frank E. Munroe, Ladysmith.

Amund J. Amundson, New Auburn.

Verner A. Nelson, Ogema.

David E. Lamon, Three Lakes.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 10, 1926

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite Spirit, teach us day by day the lessons of Thy wisdom. Give us faithful and loving hearts to do something for Thee, and help us to live and labor for the highest good. Forgive us if we are selfish, call us if we are estray, rebuke us if we are untrue, and cleanse us from all secret faults. May we so value this present life that we may realize it to be an echo of that life without end. When we have lived our little day and the old earth, that we so dearly love, is receding, may we be permitted to bow down in the presence of the "Holy of Holies" through Thy marvelous mercy and because of the little good we have done. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed with amendment the bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 6710. An act granting the consent of Congress to the State of Georgia and the counties of Long and Wayne, in said State, to construct a bridge across the Altamaha River, in the State of Georgia, at a point near Ludowici, Ga.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3173. An act granting the consent of Congress to the State Roads Commission of Maryland, acting for and on behalf of the State of Maryland, to alter and widen the bridge, and alter, widen, and reconstruct the draw span of the present highway bridge across the Susquehanna River between Havre de Grace in Harford County and Perryville in Cecil County.

S. 3425. An act to authorize aided and directed settlement on certain Federal reclamation projects, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 1129) authorizing the use for permanent construction at military posts of the proceeds from the sale of surplus War Department real property and authorizing the sale of certain military reservations, and for other purposes.

SENATE BILLS REFERRED

Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3173. An act granting the consent of Congress to the State Roads Commission of Maryland, acting for and on behalf of the State of Maryland, to alter and widen the bridge, and alter, widen, and reconstruct the draw span of the present highway bridge across the Susquehanna River between Havre de Grace in Harford County and Perryville in Cecil County; to the Committee on Interstate and Foreign Commerce.

S. 3425. An act to authorize aided and directed settlement on certain Federal reclamation projects, and for other purposes; to the Committee on Immigration and Reclamation.

ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

S. 2041. An act to provide for the widening of First Street between G Street and Myrtle Street NE., and for other purposes.

DISCHARGE OF SOLDIERS OF THE WORLD WAR

Mr. REECE. Mr. Speaker, I ask unanimous consent to call up the conference report on Senate bill 1343, for the relief of soldiers who were discharged from the Army during the World War because of misrepresentation of age.

The SPEAKER. The gentleman from Tennessee calls up the conference report on the bill S. 1343. The Clerk will report it.

The conference report and accompanying statement were read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1343) for the relief of soldiers who were discharged from the Army during the World War because of misrepresentation of age having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: Page 2, line 4, strike out the matter proposed to be inserted by the House and insert the following: "Provided further, That in all such cases the War Department shall, upon request, grant to such men or their widows a discharge certificate showing that the soldiers are held and considered to have been honorably discharged under the provisions of this act"; and the House agree to the same.

CARROLL REECE,
JAMES P. GLYNN,
LISTER HILL,

Managers on the part of the House.

J. W. WADSWORTH, Jr.,
RALPH H. CAMERON,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1343) for the relief of soldiers who were discharged from the Army during the World War because of misrepresentation of age, submit the following written statement explaining the action agreed upon:

The amendment agreed to in conference accomplishes the purpose and relief which the House amendment sought to accomplish, but is worded in such a way as not to attempt to change an historical fact.

CARROLL REECE,
JAMES P. GLYNN,
LISTER HILL,

Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. FUNK. Mr. Speaker, I present, for printing under the rule, a report [No. 488] from the Committee on Appropriations.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. GRIFFIN. Mr. Speaker, I reserve all points of order on the bill.

Mr. FUNK. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill (H. R. 10198); and, pending that motion, I desire to see if we can not have some agreement as to the time for general debate. I have discussed the matter with the gentleman from New York [Mr. GRIFFIN], and I have suggested 10 hours, one-half to be controlled by him and one-half by myself.

Mr. GRIFFIN. I will say that that will be agreeable to this side.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the general debate be limited to 10 hours, one half to be controlled by himself and the other half by the gentleman from New York [Mr. GRIFFIN]. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object—and I shall not object—I want to file a protest, so that this action will not constitute a precedent and overturn existing precedents on this subject. During my service here, which has been nearly 10 years, this is the second time only that a supply bill, embracing almost a hundred pages, has been introduced and taken up for debate on the same day, before printed copies are generally available. It has occurred only once before this instance, and I protested then against the practice.

The Committee on Appropriations concerning all supply bills ought to give the membership plenty of time to study same after they are printed. Of course we are going to have plenty of time in this instance, but this ought not to be considered as a precedent without some protest being filed against it. I want to file my feeble protest against it.

Mr. MADDEN. I want to say to the gentleman that, irrespective of the protest, I maintain that the committee has the right to present the bill and proceed with its consideration at once, although we do not intend to do that.

Mr. BLANTON. The rules do not prevent it, but the precedents do.

Mr. MADDEN. Except in rare instances, where the House itself desires the committee to proceed for the expedition of business before the House, it is not the intention of the Committee on Appropriations to press the policy of immediate consideration. While of course the right of protest exists in every body, this practice is not forbidden under the rules of the House, and we are only proceeding in regular order under our unequivocal rights.

Mr. BLANTON. Mr. Speaker, will the gentleman yield there for a question?

Mr. MADDEN. Yes.

Mr. BLANTON. Does the gentleman think it a wise policy as a general rule on behalf of the Committee on Appropriations to take up an 87-page supply bill such as this is, embracing \$34,000,000, and consider it in general debate immediately after its introduction?

Mr. MADDEN. I will answer the gentleman by asking him a question. Does the gentleman from Texas sincerely think that the general debate, which really has nothing to do with the bill and in which men talk in connection with everything under the sun except the bill, has any relationship to the orderly consideration of the appropriation bill, which will not begin until next Tuesday in the consideration of the items contained in the bill?

Mr. BLANTON. It has not; but those who stay on the floor and listen to the general debate have no time to study this 87-page printed bill, and my contention is that the membership should have an opportunity to study every item in these bills before the general debate is had.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. In a moment. I have always given the gentleman from Texas credit for having too much sense and too much wisdom to sit around here all the time listening to discussions in which he is not interested.

Mr. BLANTON. I think we should have time to study the bills before the general debate.

Mr. BYRNS. I think it should be emphasized that this bill will not be taken up for practically a week.

Mr. GARRETT of Tennessee. In so far as it could be, it was merely a part of the agreement had between the gentleman from Ohio [Mr. BEGG], acting in behalf of the majority leader, and myself on yesterday that this program be pursued, it being well understood that the bill would not come up for actual amendment until next Tuesday, and we thought that would give ample time for the Members to acquaint themselves with the provisions of the bill.

Mr. MADDEN. And the Committee on Appropriations is simply conforming to the policy outlined by the gentleman from Tennessee and the gentleman from Ohio, speaking for the majority and minority of the House.

Mr. BEGG. And both of us made the arrangement in order to accommodate a respected and honored Member of the House—

Mr. GARRETT of Tennessee. Who is ill.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 10198.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 10198) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes, with Mr. LEHLBACH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. R. 10198, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. FUNK. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. FUNK. Mr. Chairman, I yield 20 minutes to the gentleman from Nebraska [Mr. HOWARD]. [Applause.]

Mr. HOWARD. Mr. Chairman and gentlemen of the committee, in recent days our eyes have been dimmed by overmuch reading of the reports which have leaked out from a house which they call the fact-finding house.

I have had a strange experience recently, Mr. Chairman. I do not know how it happened, and I do not know what great power brought it about, but one evening recently, without any request of mine and without any power on my part to resist, I was placed upon a moonbeam and carried away over into Dreamland and dropped down into a beautiful garden. Near the garden was a beautiful mansion, and over the door of the mansion, in golden letters, were the words, "The Place Where Facts are Found." When I arrived there I saw a great many persons assembled in the garden, but it seemed to me I could not understand the language that they spoke.

After a while a charming gentleman, in the guise of one of the most beautiful sheiks, beckoned to me to enter the house with him, the "fact-finding house," and I did. There I discovered a great assemblage of those whom I recognized as having recently presented in the newspapers and on this floor a great many facts with reference to legislation which they have a desire to have pending in this House. The great room was arranged as a banquet hall, and in the place of honor, at the head of the great table, was a gentleman representing very closely one of our beloved colleagues in this House. I think if I should give a personal description of him all of you would instantly recognize him. He was the presiding genius. Up to that moment I had not understood a word of the language those people were speaking, but suddenly there seemed to be given to me the power to understand that language. Oh, it was a very queer language. Did any of you ever hear of it? Quite a number of you, I dare say, may not believe me when I tell you it was the language of the dead. And now I come back to you to bear to you some report from that strange meeting and to tell to you what I heard in the language of the dead. I know you will look incredulous. You do not believe there's a language of the dead. Ah, my friends, there is. There's a language of the lowly and a language of the great; there's a language of the diplomat to conceal affairs of state; there's a language of the heart and a language of the head, but the queerest tongue e'er spoken is the language of the dead. Men may not learn that language in any earthly school. It's a language never spoken by any man-made rule, but it is the tongue of Dreamland, where John Barleycorn lies sleeping; where the legions of John Philip their faithful watch are keeping. [Laughter and applause.]

The services at the banquet were opened by the toastmaster with the announcement that they would sing, "We won't go home 'till morning." I thought it was odd that they should begin that so early in the evening, and I was more and more surprised at the next vocal number when it was announced that the audience would rise and sing Sweet Adeline. In all my experience I had never known before that anybody was capable of properly rendering Sweet Adeline without proper organization. [Laughter.]

Now, if any of you have had any doubt in your mind about whether or not light wines and beer are intoxicating, let me direct your attention to the fact that the light wines and beer consumed over in that fact-finding house in four minutes' time enabled that vast audience to render Sweet Adeline more eloquently than I ever heard it rendered in the cold gray dawn of the morning. [Laughter and applause.]

The first—shall I call it a literary number—I guess I will, because it was grandiloquently eloquent, and it was delivered by Governor Rickey. [Laughter.] I was sitting so far back

I could not get exactly what he said, and so I will not attempt to repeat it to you.

Then came the oddest experience. The toastmaster announced that the patriarch of the fact finders would pronounce an ode, an ode to the cherry in the glass.

Very few of you here are old enough to remember that once upon a time, and for more than 100 years, the most popular diplomatic drink in the assemblies of the great, at home and abroad, was known as the American cocktail. We in our country call it, or we used to call it, the Manhattan cocktail. As a matter of history, in order that you may hand it down to the children, I will tell you how men used to make the Manhattan cocktail. First they took a little glass with a flaming rim, poured a little liquor in the glass, and an equal amount of brandy, then a little dash of Angostura bitters, and then a little twist of a dry lemon peel, and into the glass they dropped a blood-red cherry. This constituted the Manhattan cocktail.

The patriarch explained all this, and then he took the cherry in the glass, with its contents, light wine and beer, emblematic of that which used to be, and then he spoke to the cherry. Mind you, friends, he was speaking in the language of the dead, but I correctly interpreted him. I had been there some time then, and the language was very clear to me. He looked at the cherry appealingly, and so did all the rest of them. [Laughter.] He held it before him, and some of them stood up when they could not see it, and for their benefit he held it higher, and he said to the cherry: "Thy value is a farthing, and yet so highly prized art thou that nabobs have been pauperized by ambition to possess thee. Athletes strong as Ursus, fit to win and fit to wear the laurel wreath in Athens or in Rome, have offered at thy shrine, only to see Apollo forms and Samson strength transformed to the ruin and to wreck of all that made them beautiful and strong. The brightest intellects of men whose writings and whose speech have lighted torches of liberty in darksome Russia or rendered more effulgent still the liberal paths in our America have been reduced to sickly dips by thy destroying power. Far away in the years when the gods were young they gave thee powers like unto the gods themselves. Into the mirror of history I peer and see thee clothed as Cleopatra, with all the princes of the earth as lovers at thy feet. But even there thy regal self was hedged about by legions not more dangerous than now attend thee in this glass. Again I see thee in the guise of modern woman, one who like a magnet draws unto herself the very soul, the waking thoughts and all the dreams that come to soothe or mar the slumbers of a man. He knows thy power and fears it, but swears he will be strong to stay thy spell, and in his braver moments draws anear, only too late, to find his weakness and thy wondrous power. The rarest gem from Africa's mine was reached through dangers like to those which ever stand between thy beauteous self and fond desire of human hearts.

"O cherry, fell destroyer in forms most fair! And yet I love thee, and though the gates of death were yawning wide, I'd enter even there to reach thy side, and feel within my soul the bliss vouchsafed alone through thy sweet kiss." [Laughter and applause.]

There was a great applause, and, as it died away, I heard a wonderful voice speaking from, I do not know where; nobody seemed to see the source of the voice. It was a beautiful voice, and it said: "John Barleycorn is dead, and I killed him. I am the Constitution of the United States of America. I am the only power on the earth than can make John Barleycorn live again. Until I shall have been so changed by my sovereign masters, the American people, as to permit me to bring John to life again, John must remain dead." [Laughter and applause.]

I do not remember what happened after that. [Laughter and applause.]

Mr. GRIFFIN. Mr. Chairman—

Mr. HOWARD. Mr. Chairman, I did not have anything more to say, but I understand I had quite a bit of time left, and I yield it back to somebody else. [Laughter.]

The CHAIRMAN. The gentleman yields back 30 seconds. [Laughter.]

Mr. GRIFFIN. Mr. Chairman, I yield 25 minutes to the gentleman from Mississippi [Mr. BUSBY].

Mr. BUSBY. Mr. Chairman and members of the committee, for some time I have contemplated bringing to your attention a condition which exists in Mississippi, which condition is the direct outgrowth of the corrupt manner in which Federal patronage is dispensed in that State.

In order to properly and officially get this situation before the House, I have introduced a resolution (H. Res. 161) directing the Attorney General to transmit to this House the report, and evidence sustaining that report, made almost a year ago

to the Department of Justice, relating to abuses in dispensing Federal patronage in Mississippi.

I am calling your attention at this time to the resolution because I hope that it may receive consideration very soon under the rules of the House giving it a privileged status. I hope it will be reported to the House promptly by the Judiciary Committee in order that the House may give immediate consideration to the proposition presented in the resolution.

An outline of the facts on which the resolution is based, and which I believe will be disclosed to the House when the resolution is responded to, is this:

It has been publicly charged that Federal patronage is sold to the highest bidder in Mississippi by Perry W. Howard and his subordinates. No Federal appointments in Mississippi are made without the approval of Perry W. Howard.

The Department of Justice, through F. J. Blake and T. M. Daniel, made a full investigation in the early part of 1925 of the charges against Perry W. Howard of patronage selling in Mississippi and their report with full evidence to sustain it having been filed with the Department of Justice about May, 1925, and the Attorney General having failed or refused to take any action on this report, or to make public the report and the evidence to sustain it, I have introduced the following resolution in an effort to get the matter opened up, the truth revealed, and the situation before us so that we can take such action as is proper when the report is before us.

Resolved, That the Attorney General be, and he is hereby, directed to transmit to this House for its information and guidance in such action as it deems necessary to be taken the report of F. J. Blake and T. M. Daniel on the Mississippi patronage abuses charge and all evidence filed therewith relating to Perry W. Howard.

I have hesitated about calling attention on the floor of the House to this situation because I had hoped that it might get better, or that some action might be taken by the administration to remedy it. I must confess that that hope has been entirely shattered, and instead of conditions getting better, they have grown constantly worse, and no relief has been promised by official action.

In almost every other Southern State, as well as in Mississippi, an open charge has been made that the individuals representing the Republican organization in those States, if the Republican Party could be said to have real organizations in some of them, headed by the Republican national committeeman and the Republican State chairman, have been making sales of the Federal patronage of any and every kind to the highest bidders. These charges have become so open, continuous, and notorious, I take it that no one connected with the political affairs of the country is ignorant of them or doubts the truthfulness of these charges or doubts that they are founded on facts.

In my particular State—Mississippi—so corrupt, open, and notorious has been the practice of barter and sale of Federal positions from the humblest place of postmaster or rural letter carrier to the most important appointive Federal positions in the State, that self-respecting, decent citizens shudder to think of the humiliation into which the State has been dragged by those who would debauch the reputation of their country and sell its good name in order that they might be personally enriched by the sale of Federal patronage. These individuals are the representatives of the Republican Party in Mississippi and are so recognized and accredited by the national Republican organization.

Believing in the fair sense of honor of the membership of this House, whether you come from the East, the West, the North, or the South, I lay before you this condition and appeal to you as fair-minded men who have at heart the good of our country and the honor of its institutions to join hands with us who are afflicted by this plague of honorless patronage sellers and help us to relieve our own State of the ignominy to which it is now subjected as well as clear the name of your party of the indelible blot which is being perpetrated on a page of its history. For you to do so will not only be a service to our people but an honor to our country. Into your hands has been intrusted the leadership of its destinies and the protection of its honor and glory for the present.

The Republican Party in Mississippi is headed by a negro by the name of Perry W. Howard, who is the Republican national committeeman for that State, he having achieved that distinction in June, 1924. A negro woman by the name of Booze, of Mound Bayou, Miss., is the Republican national committeewoman. S. D. Redmond, a half brother of Perry W. Howard; A. M. Redmond, another half brother of Perry W. Howard; and W. L. Mhoon, a law partner of Perry W. Howard, all high in the councils of the Republican organization in Mississippi, hold the chief places in directing the welfare of

that party as well as being the exclusive body through which Federal patronage is dispensed.

Perry W. Howard is located here in Washington. He has been given an appointment in the Department of Justice as a special assistant to the Attorney General, a position paying \$5,000 per annum. As Republican national committeeman for Mississippi, he is the sole arbiter and has the only and last word on Federal appointments in that State, and to him must be submitted, under the policy of the Republican Party in dispensing patronage, the most trivial appointment as well as the more important. On his approval, and on his approval only, are appointments made by the governmental departments at this time and for many months past.

Mississippi, I am informed, has been thoroughly organized by the Redmonds, half brothers of Perry W. Howard; the Boozes, including E. P. Booze and wife, mentioned heretofore; Mhoon, law partner of Perry W. Howard; and some other like characters, into an organization so constructed as to most carefully and advantageously make sale of Federal patronage. I am sure that is true regarding my district, and I understand it is true regarding the other congressional districts as well.

Mr. QUIN. I want to say to the gentleman that I do not believe there has ever been a deal of that kind pulled off in my district.

Mr. BUSBY. I am glad to hear of one pure spot in the State. In each county some negro has been selected by the organizers, and to him has been intrusted the important position of naming some of the minor appointees and collecting from them the amount charged for the position, the most important places being reserved to the "higher-ups" in the organization in order that they may profit by the sale of the better places. The persons designated to receive appointments by these "field agents" are O. K'd by Perry W. Howard, and the appointments are then made by the departments. I do not say that all appointments are sold; I know some persons who have received appointments who are beyond reproach, but this is not to the credit of Howard and his bunch, but due to the integrity of those persons.

In the latter part of 1924 it became apparent that the United States marshal for the northern district of Mississippi would resign; in fact, if I remember correctly, he stated through the press that he expected to resign from that position, the resignation to become effective October 1, 1924. This would create a vacancy in one of the most important Federal positions in Mississippi to which appointments are made. Immediately S. D. Redmond and A. M. Redmond, half brothers of Perry W. Howard, got in touch with some of the leading Republicans of the northern district of Mississippi and proposed to make a deal with them and by this deal to sell the appointment of United States marshal for an amount ranging around \$1,500—"cash in advance." They proposed this deal not to just one person, but to several persons, all of whom were too honorable to lend a hand to perpetrating this infamy on the honor of our Government; consequently the offers were respectively declined. To substantiate their authority to make the sale of this office the Redmonds exhibited an agreement, it is alleged in affidavits I hold, signed by Perry W. Howard, wherein it was agreed that S. D. Redmond should be consulted when appointments were made of United States marshal and United States attorney for Mississippi. Perry W. Howard, being an appointee in the Department of Justice, as well as the Republican national committeeman for Mississippi, the proposed sale of the United States marshal's office by Howard and his gang was laid before the Department of Justice in November, 1924; affidavits were submitted to the department by persons who had been approached to buy this position. On December 5, 1924, Rush L. Holland, Assistant Attorney General, wrote A. M. Storer, one of the parties to whom the Redmonds had proposed to sell the United States marshalship, that—

The information contained in your letter and the affidavits accompanying it is amazing. It discloses that there apparently exists a conspiracy in Mississippi to dispose of offices for a cash consideration, which of course is damnable and unthinkable and can not be tolerated. You are assured that this matter will be thoroughly investigated by the department.

In furthering the promise of an investigation, F. J. Blake, post-office box 91, Dallas, Tex., and T. M. Daniel, post-office box 409, Memphis, Tenn., were appointed by the Department of Justice to make an investigation of these charges against Perry W. Howard and his subordinates, and these investigators entered immediately upon that duty. They completed the investigation in the latter part of May, 1925, and filed their report with full evidence to sustain it and to sustain the charges of the sale of Federal patronage. The Attorney General failed to take any

action on this report or to make public the report or the evidence.

In February, 1925, the Attorney General's attention was called to the fact that no report had been made on the case. He replied that—

Additional information is being sought.

On February 20, 1925, this situation was fully laid before President Coolidge in a communication addressed to him. It was likewise fully placed before Hon. WILLIAM M. BUTLER, chairman of the Republican National Committee, the two individuals who have complete authority and power to correct the evils that are so palpably shown to exist, the one as Chief Executive of the United States, in whose department Perry W. Howard is serving as special assistant to the Attorney General; the other, Mr. BUTLER as head of the Republican Party organization. He has the power to remove Howard from the favored position of "Federal pie dispenser in the State of Mississippi."

To these—the President of the United States and the chairman of the Republican National Committee—is chargeable all the blame for the continuation of this condition of political corruption after it has been disclosed to them.

In June, 1925, the attention of President Coolidge and of Chairman BUTLER was again called to the fact that no decision in this case had been made by the Department of Justice, to which Mr. BUTLER replied:

The matter to which you refer is still under investigation.

We are now well into the year 1926, and I suppose "the matter is still under investigation."

The evidence of guilt and criminality connected with the barter and sale of Federal patronage in Mississippi continues securely concealed in the archives of the Attorney General's Department.

The foregoing instance to which this resolution relates and to which I have addressed myself is not the only occasion where it has been alleged and proved that Perry W. Howard and his gang have materially profited by the sale of Federal patronage in Mississippi. Dozens of instances of the sales of postmasterships, rural letter-carrier positions, and other positions could be cited. The particulars of these deals I have in my possession.

Some kind of an investigation was put on by the Postmaster General's Department, and while Postmaster General Harry S. New, in a letter of January 31, 1925, to Perry W. Howard, addressed to him at the Department of Justice, Washington, D. C., attempts to absolve Howard from blame as principal in the transaction, says:

It was, however, indubitably shown that certain individuals who have been connected with the organization in Mississippi in the recent past stand convicted of having accepted money, and not only that but having most assiduously solicited it from candidates for office.

But it is not necessary that I should go into the details of these abominable transactions. This should be done by the Government departments that are under the control of this administration and that are affected by this practice. They are the proper agencies to take action. I can only call attention to conditions that exist.

The Republican Party is in power; the Republican Party alone is responsible.

This corrupt conduct is being carried on in the executive department—that department headed by President Calvin Coolidge—and he having had it fully laid before him and his attention directed to it as many as three different times, he is directly chargeable with the duty of remedying that which is contrary to all sense of honor, common decency, and political integrity now existing in one of the 48 sovereign States. If this condition has been proven, and the evidence of guilt is in the hands of the Department of Justice, connivance by the President at its continuance only affirms his approval of it.

Chairman BUTLER is directly in a position to relieve Perry W. Howard of authority to dispense the patronage in Mississippi. I can not understand why he should so agreeably ignore the continuation of this condition or the practices it makes possible, unless, as I have been told by many leading Republicans from other States as well as from mine, that the purpose of his organization is to permit negroes in some of the Southern States, in which there is practically no Republican strength, to control, dispense, and sell, if they desire to do so, the Federal patronage in those States in order that the negroes of Northern States and those in the Eastern States can be convinced of the goodness of the Republican Party to them when it is pointed out by the Republican politicians that the Repub-

lican Party is permitting negroes to stand in the places of chief authority in dispensing patronage in other States.

I am not on the inside of the Republican Party enough to know any other reason than this one, so often stated to me by persons who claim to be members of that party.

It little concerns me what branch or wing of the Republican Party in my State has the upper hand of things. It makes no difference whatever to me. I am not advocating the cause of any of them. I am advocating the cause of the honor of Mississippi and of upright Mississippians. I am advocating the cause of government without corruption, of national honor, untainted by the putrid practices of a gang of low, mercenary characters permitted to gain and remain in power, and to convert their Nation's honor and their party's integrity into shame and disgrace for profit.

I believe we have some good and upright Republican citizens in Mississippi, but it is a hard struggle for them to hold on to the faith in the face of the treatment they are accorded by the national Republican organization.

I know that we have upright, high-minded, loyal Republicans who are Members of this House, men who believe in every man and in every State having a square deal and fair treatment. It is to you I appeal, as well as to the Democrats of the House, to join hands with us that we may take whatever action is necessary to clean up the condition in my State as well as in all other States where similar conditions prevail.

No party success is or can be sufficient to compensate a political party for loss of honor and integrity through corrupt practices to secure that success.

Let us stand solidly together, whether Democrat, Republican, or Progressive, for clean government, fair treatment, and open honesty to every State and to the peoples from one end of the country to the other. [Applause.]

Mr. GRIFFIN. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman and Members of the committee, I assure you gentlemen that the remarks of the gentleman from Nebraska [Mr. HOWARD] in telling us how to make a Manhattan cocktail very likely awakened emotions of recognition within most Members who are present this morning. [Laughter.] However, it all goes back, I am sure, to what the very distinguished Senator, Mr. BRUCE, recently said, that the country is divided into two classes—those who have a little still and those who still have a little. [Laughter.]

In connection with that subject there is being conducted now by a great many metropolitan dailies throughout the country a prohibition referendum, and so important to my mind is that referendum that I think the matter should be called to the attention of the Members of the House and of the country.

For the benefit of gentlemen who come from far Western States I want to direct attention to the fact that the Denver Post—and I am glad to see a member of the Colorado delegation [Mr. TIMBERLAKE] present—conducted a poll and the results show an overwhelming moist, damp, sentiment, not only in the State of Colorado but throughout the Rocky Mountain area, and the final figures for the poll conducted by the Denver Post, from February 12 to February 22, shows that the answer to the question on prohibition was yes to the extent of 20,756, and against prohibition 79,700. That is a margin against prohibition of 58,944.

They conducted a secondary poll with reference to the modification, liberalizing the Volstead Act for the purpose of legalizing the manufacture, sale, and distribution of light wines and beer. Those who voted for liberalization were 83,356, and against only 18,999, leaving a margin in favor of wines and beer to the extent of 64,357. Thus the supposedly arid region of the Rocky Mountain States is "wet" by more than 4 to 1.

Mr. BLANTON. Will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. BLANTON. If there is such a strong sentiment in the United States for wine and beer as the gentleman would indicate from his quotation of these statistics, it ought to be a very easy matter for the wets to stack this House with Members in favor of modification. I predict that you will not have five votes more than you have now.

Mr. CELLER. If the gentleman's prediction is like all his other predictions he will find he is mistaken.

Mr. BLANTON. The most that you have been able to corral recently is 37 votes by actual count.

Mr. CELLER. I will say that most of the Members in this House are very much like the leaning tower of Pisa; they have the inclination but they dare not fall. [Laughter.] I am sure that this poll that is now being taken, indicative of the situation throughout the country, is going to make a great many Members of the House fall.

Mr. O'CONNOR of New York. Is it not a fact, because of that poll, that two Senators from Colorado fell?

Mr. CELLER. I think the gentleman is correct. The gentleman from Texas reminds me of an Irish lady in my district. She said to me, "Congressman, I am not going to read the Literary Digest any more." I said, "Why, Mrs. McDowd?" She says, "The Literary Digest always publishes two sides of the Irish question. I'll not read it. There is only one side of the Irish question." [Laughter.] The gentleman from Texas can only see one side of the prohibition question.

Mr. BLANTON. Would the gentleman yield after that?

Mr. CELLER. I yield.

Mr. BLANTON. Whenever the leaning tower of Pisa falls, the gentleman may expect some dry Congressman to fall.

Mr. CELLER. The gentleman would better look out that he does not fall. With reference to the poll in the Rocky Mountain area, let me say that that area has always been the backbone of the prohibition movement. That was the most arid section in the country. I took a trip to the West only recently, to be exact, last October. I stopped in the city of Denver and in other parts of Colorado. I assure you, my good friends, I found from my own observation that Colorado was quite moist, and nobody ever wanted for any of the delectable liquids one might desire. There were always those ready and willing and able to serve one not only in the city of Denver but in most parts of Colorado.

Now with reference to the poll conducted by the Denver Post, the total votes, including the straight dry and wet ballots and the split ballots, in which voters expressed themselves on only one of the two questions submitted, was approximately 110,000. I have read you the way the vote went, but the response, so the paper states in its edition of February 23, "is all the more significant when it is considered that the total number of ballots cast in Denver is more than 50 per cent of the normal city vote in a presidential election year, while the total vote for the entire State of Colorado is more than 25 per cent of that normally polled in the most important election." It also states that "the Post's prohibition poll is all the more surprising in that the referendum was indorsed by the dries and opposed by the wets. The poll was begun on February 12, and two days later a wet organization in Denver published a newspaper advertisement advising the people not to vote, and the Colorado division officers of the Association Against the Prohibition Amendment called on all members of the organization and all members in favor of modification not to vote. While the leaders of the wet movement were urging their followers not to take part in the poll, the Colorado Anti-Saloon League and other dry organizations were waging a state-wide campaign to get out their votes. Appeals for the people to rally to the support of prohibition were voiced from almost every Colorado pulpit. Ballot boxes were put in a large number of churches and the votes collected there were delivered to the Post. No ballots were accepted, says the newspaper, which did not bear the signature and address of the person voting. The average daily circulation of the Denver Post is 163,000. That the total number of ballots cast is 52,000 fewer than the total number printed and circulated foretells any claim that there was ballot stuffing.

Mr. Chairman, I commend that poll and also this statement which I shall now read to the delegation from the State of Colorado. Mind you, the Post states that it had always been consistently for prohibition. It has been in favor of the prohibition law, and it has this to say:

The owners of the Post have always been in favor of prohibition, and in spite of the result of the referendum vote on the subject we are as strong for prohibition as ever. The Post believes that the unprecedented prosperity, growth, and development of our country during the past few years is due more to prohibition than to any one cause.

So it will be seen that the tendencies of the Post were prohibition, that they were all in that direction. It attributes, for example—of course, erroneously—the prosperity of the country to prohibition; but nevertheless we may be sure, because of its prohibition proclivities, that it conducted this poll in a fair and impartial manner. The poll indicated the wet sentiment of the people of Colorado. Colorado Congressmen had better make their votes consistent with that sentiment. The paper further says:

The Post is of the opinion that it will take many generations, if ever, for the people of the United States to consent to bring back upon themselves the curse of saloons and liquor. The referendum vote recently taken by the Post on this question was a very great surprise to us.

And so it must be to the gentleman from Texas [Mr. BLANTON].

But this vote clearly shows a very radical change in public sentiment during the last few years.

Mr. WELLER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. Yes.

Mr. WELLER. Is there a State enforcement act in the State of Colorado?

Mr. CELLER. There is.

Mr. WELLER. Was that adopted at or about the time the other enforcement acts were adopted, or only recently?

Mr. CELLER. I think it was adopted before national prohibition went into effect. The gentleman from Colorado [Mr. TIMBERLAKE] may be able to enlighten us upon that subject.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. CELLER. Certainly.

Mr. TIMBERLAKE. Mr. Chairman, I have been very much interested in the account the gentleman has given of the referendum conducted by the Denver Post. I have seen the result of that referendum vote. I want to confirm what was stated a few moments ago—that Colorado was dry many years before we had national prohibition, and it was dry. I do not know from what source the gentleman speaking was able to give the testimony that it was a very easy matter to get liquor of any kind in the State of Colorado during his visit there last year. It must have been exceptional places that he visited, because I have a very good knowledge of conditions in Colorado and I think to-day under the enforcement law that it is one of the driest States in the Union.

Mr. CELLER. It perhaps is like the case of a prohibition official walking along with a citizen and remarking, "It is great to walk here and not see a saloon." To which the citizen replied: "It is greater for us to know that the saloons are still here although we can not see them."

Mr. O'CONNOR of New York. Mr. Chairman, will the gentleman yield?

Mr. TIMBERLAKE. Yes.

Mr. O'CONNOR of New York. Has it not always been the view that in Colorado the drinking of liquor was especially dangerous on account of climatic conditions?

Mr. TIMBERLAKE. I do not know; but it might have had some deterrent effect; I do not know as to that. Further, with reference to the referendum vote, the Denver Post is a wonderful paper. It circulates through many States throughout the Union.

Mr. CELLER. Would the gentleman say that it is a very fair paper?

Mr. TIMBERLAKE. I do not know that I would deny that statement.

Mr. CELLER. Would the gentleman say that the poll conducted was fairly conducted?

Mr. TIMBERLAKE. I do not know with regard to that.

Mr. CELLER. Did the gentleman vote on that ballot?

Mr. TIMBERLAKE. I know one thing, that it does not represent the sentiment of the citizens of the State of Colorado. I know and I have reason to believe that very many of the votes cast in favor of a modification of the Volstead Act by the manufacture of light wine and beer came from subscribers to the Post, a great many of them, I have an idea, from the State of New York and other States through which the paper circulates.

Mr. CELLER. It is very difficult to understand the statement made by the gentleman from Colorado that people from New York and residents of New York voted on this poll. There are hardly any New York subscribers. I will say to the gentleman that the Denver Post, as I have been informed, has been insisting in every instance the name and address of the man or woman who voted could be registered on the poll submitted. It is absurd to discredit the poll in that illogical fashion.

Mr. LAGUARDIA. If the gentleman will permit, I would like to inquire of the gentleman from Colorado if it is not true that in and around the city of Denver they have more road houses and speak-easies since prohibition, and they have had a great deal of trouble with young people going out to these road houses and drinking hooch?

Mr. TIMBERLAKE. If I may be permitted to answer the question, I want to say to the gentleman his opinion is entirely wrong. [Applause.]

Mr. LAGUARDIA. That is the information that I got in Denver two years ago while there.

Mr. TIMBERLAKE. I am very well acquainted with the surroundings of Denver, and there are no road houses in its vicinity at the present time. [Applause.]

Mr. LAGUARDIA. And no liquor drunk?

Mr. TIMBERLAKE. I will not say absolutely that.

Mr. BLANTON. Mr. Chairman, I make the point of order it is entirely unfair for five New York men to jump on one Colorado man.

The CHAIRMAN. That is not a point of order.

Mr. BLANTON. The gentleman can hold his own, but it is rather unfair.

Mr. WELLER. Will the gentleman yield?

Mr. CELLER. I will.

Mr. WELLER. I want to ask the gentleman from Colorado if it is not a fact that one can get easily a kick in the city of Denver without having a Manhattan cocktail?

Mr. TIMBERLAKE. You can get a kick from the climate there without any intoxicant.

Mr. HILL of Maryland. Here is the poll from the Hearst papers—

Mr. CELLER. I am coming to that. I say also if the gentleman from Colorado goes to Colorado and speaks to Judge Ben Lindsay, of Denver, who probably knows more about the condition of the young in Denver than any man living, because he conducts the juvenile court there and presides over matters of juvenile delinquency—I am sure the gentleman from Colorado will be startled out of his senses. A brief conversation with Judge Ben Lindsay as to the drinking and the overwhelming increase in drinking of young people in the city of Denver and its environs will be surprising. I have spoken to a great many people in Denver, including policemen, and I have specifically asked where I could buy something stronger than wines and beer, and the answers were indicative of the fact that Denver is as wet as a soaked sponge. The newspapers of this country are deserving of great commendation, particularly those who are now conducting these polls.

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. TIMBERLAKE. I am rather interested in knowing, after listening to the last statement of the gentleman from New York, whether after securing the information that he says he had no difficulty in securing from the policemen of Denver, whether he purchased the liquor in Denver?

Mr. CELLER. I am not a drinking man. I do not care whether all the whisky in creation is utterly destroyed, but I do have consideration of the rights of other people in reference to their personal habits. I do not drink whisky, and would not drink the stuff I would be likely to get in the city of Denver.

Mr. TIMBERLAKE. It was the information the gentleman intended to convey to others, rather than a desire to purchase himself?

Mr. CELLER. No; I did not desire to convey information to anyone but Members of the House, and the Members of the House ought to have that information.

Mr. BLANTON. Will the gentleman yield?

Mr. CELLER. I refuse to yield for a few moments. The newspapers are now conducting a very important poll. The press during the war rendered a very fine service to the Government and to the people. I had occasion to say only recently what Jefferson said, namely, "That if I were given the choice between a government without newspapers or newspapers without a government, I would choose the latter." I believe with Jefferson, because not only in the war but at all times the newspapers have rendered a very fine service for the weal and welfare of the country and for the making of a good citizenry, and when they undertake to find out the sentiment on the question of prohibition they are rendering no less service than they rendered during the World War. Now, the Washington Post, along with others in the country, is conducting a poll in this city. In the Washington Post of the issue of Wednesday, March 10, 1926, appears the result of its poll to date.

It shows, for example, that in the city of Washington 1,885 voted in favor of modification; that is, in the interest of light wine and beer, and only 214 opposed it. Here in the very Capital of the country, the cynosure of all eyes in the political world, the sentiment is "wet." Everybody's eyes are more or less focussed upon Washington. It is the paragon, it is a pattern for the rest of the country. And yet we find an overwhelming sentiment in favor of light wines and beer.

The Post also indicates that with reference to the polls that it is conducting, along with other newspapers, in New Jersey, for example, there were 1,257 for, and 51 against wines and beer; in Cincinnati there were 1,300 in favor of light wines and beer, and 87 against. In Boston there were 13,097 for, and 397 against. In New Orleans there were 601 for, and 34 against. In Salt Lake City, 1,003 for, and 61 against.

I commend the Washington Post for its attitude in the conduct of this poll and its willingness to serve not only its readers and the people of the country, but particularly to serve the

Members of this House, in order that they may vote in strict consonance with the sentiment of the rest of the country and especially their districts. And some Members of this House, who very likely in all good conscience vote dry, might be wakened to a sense of their real responsibility to their constituents by the benefit they might get from this poll in determining what their constituents want and what the country wants.

Mr. BLANTON. Mr. Chairman, will the gentleman yield there?

Mr. CELLER. Yes.

Mr. BLANTON. Would the gentleman in his district permit the Forum, for instance, to prepare all the ballots for his voters, and receive all the ballots, and do all the counting for him when he is elected?

Mr. CELLER. Of course I would not allow that. The State election laws take care of our election. But I am not afraid to trust newspapers in this poll.

Mr. BLANTON. That is the reason why people will not permit the Washington Post or Mr. Hearst's papers or the Denver papers to do their counting for them.

Mr. CELLER. I am not one of those who see only one side of this prohibition question. There are probably some merits in prohibition. It has done good things. But in all matters of legislation you must weigh the good with the bad, and if the disadvantages outweigh the advantages, as might be indicated by this poll, then I expect you, and the gentleman from Texas, and the gentleman from Colorado, and all others, whether they be wet or dry, to give this poll at least fair consideration and not make snap judgment to the effect that these polls are unfair and unjust, and that we should not care a tinker's damn for them. That is the judgment that I want you to follow.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. CELLER. Yes.

Mr. COX. Do you mind giving the House the reasons you have for quoting this poll?

Mr. CELLER. There are so many reasons that I would not want to take up the time of the House in enumerating them. I rose to give the gentlemen of the House some information on these polls. Prohibition, to my mind, has been a blot, and I fear it like the plague, because its handmaidens are chicanery and deceit and fraud and graft and utter disregard for law. If these polls will help do away with it, I am content. That is a concise statement of my opinion. [Applause.]

Mr. COX. I do not want to press the gentleman with the question if it is his desire to escape an answer.

Mr. CELLER. I do not want to escape at all. I have only a few minutes, more or less, and I want in those few minutes to address myself to this poll.

Mr. COX. Do you advocate the repeal of the law because there has been apparent inability on the part of the Government to bring about a strict enforcement? Is that the main reason?

Mr. CELLER. That is one of the reasons. That is only one of a great many.

Mr. COX. Would not that same reason apply to the law against counterfeiting?

Mr. CELLER. No. There is a great distinction between the law against counterfeiting and the law imposing prohibition. There is no sentiment anywhere against the law against counterfeiting. There is a universal desire to punish counterfeiting. But that is not the case with reference to prohibition. There is not a universal sanction, there is not that public sentiment as is behind the law against counterfeiting. I repeat the words of a very eminent jurist whose name I am not privileged to divulge as the author of the statement that—

In order to make a law respected you must make it respectable, and prohibition is not respectable, and therefore it is not respected or obeyed.

Mr. TYDINGS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. Yes.

Mr. TYDINGS. I would like to say to the gentleman from Georgia that I heard a very eloquent appeal made some time ago by the gentleman from Florida that a State had a right to determine and execute its domestic policy. Why not let each State have authority to pass prohibition laws for itself?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. I ask my colleague from New York if he can give me five minutes more?

Mr. GRIFFIN. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from New York is recognized for five minutes more.

Mr. CELLER. The Daily News of New York has also taken a poll. It is a paper having the largest circulation in the metropolitan area, a circulation probably of more than a million and a quarter. There is not a paper in the world having a

larger circulation than the Daily News. They are making the poll with the Washington Post and the Cincinnati Enquirer and the Boston Traveler and the New Orleans Times-Picayune and the Salt Lake City Telegram. Their poll for Greater New York is 14,864 for light wines and beer; against, 306; New Jersey, 1,257 for; 51 against; rural districts of New Jersey, 761 for, and 35 against; Cincinnati, 1,300 for, 89 against; Boston, 13,097 for, and 3,397 against; New Orleans, 601 for, and 34 against; Salt Lake City, 1,003 for liberalization of the Volstead Act, and only 61 against.

The Hearst papers throughout the country are also rendering a very splendid service, and I am going to put in the RECORD the poll of the various Hearst papers in all sections of the country, which will show beyond peradventure that the country is overwhelmingly in favor of the modification of the Volstead Act. It prints the following result as of March 10 in the Washington Herald:

LATEST RESULTS IN POLL ON PROHIBITION LAW

Following are the results of the prohibition poll being taken by the Hearst newspapers throughout the country up to a late hour last night:

	Existing law		Wine and beer	
	For	Against	For	Against
Washington	236	2,884	2,983	184
Baltimore	104	1,081	1,101	94
New York	450	23,949	23,611	256
Boston	3	57	71	2
Rochester	71	1,564	62	1,564
Syracuse	543	3,764	3,990	521
Detroit	370	2,383	7,288	682
Chicago	1,153	10,317	14,315	538
Milwaukee	3,968	21,753	21,753	3,968
Seattle	298	16,226	3,629	491
San Francisco	80	1,903	1,905	63
Oakland	2	65	72	2
Los Angeles	90	1,998	2,035	79
Albuquerque	1,156	1,856	1,700	1,043
Denver	20,756	79,700	83,356	18,999
Atlanta	65	887	906	43
Reno	21	451	455	33
Arizona	1,113	1,781	1,781	1,113
Total	30,479	161,183	171,108	29,675

Now, the New York World, a very fine and meritorious metropolitan daily, in conjunction with 375 newspapers throughout the length and breadth of this country—newspapers with all shades of opinion on the subject of prohibition—are to conduct a three days' poll to-day, to-morrow, and Friday—that is, March 10, 11, and 12—and that poll will undoubtedly show, touching as it will the residents of almost every section of this country, that the country is moist; that the country wants to have a return to sense, to common sense, and wants to turn its back upon the impossibility of enforcing prohibition, and wants an act that is enforceable and one that will be backed by the sanction of the entire people.

The importance of a poll that the World is taking with 375 papers under the auspices of the Newspaper Enterprise Association, is quite manifest when you realize that the territory embraced by these papers contains a population of more than 35,000,000.

One hundred and forty-five newspapers associated with the World have already been taking their local polls. The territory covered by the newspapers has a population of 15,103,812. The combined circulation of the newspapers is 2,736,193, and at 6 o'clock last night they had received 300,000 ballots. These newspapers include—

The Republican-Journal, Ogdensburg, N. Y.; the Syracuse Journal; the Buffalo Times; the Port Jervis (N. Y.) Union-Gazette.

ILLINOIS WELL REPRESENTED

The Morning Star, Rockford, Ill.; Evening Citizen, Cairo, Ill.; Morning Press, Danville, Ill.; Free Trader-Journal, Ottawa, Ill.; Chronicle-Herald, Hoopeston, Ill.; Evening Mail, Galesburg, Ill.; Tribune, La Salle, Ill.; Argus, Lock Island, Ill.; News-Herald, Litchfield, Ill.; Daily Register, Belleville, Ill.; Daily Herald, Morris, Ill.

Chronicle, Marion, Ind.; Review, Crawfordsville, Ind.; Evening Despatch, Michigan City, Ind.; Journal-Gazette, Fort Wayne, Ind.; Post, Terre Haute, Ind.; Press, Evansville, Ind.; Daily News-Times, Goshen, Ind.; Times, Indianapolis, Ind.

Advertiser, Clinton, Iowa; Gazette, Burlington, Iowa; Press, Charles City, Iowa; Republican, Cedar Rapids, Iowa; Daily Tribune, Ames, Iowa.

Capitol-Times, Madison, Wis.; Telegram, Eau Claire, Wis.; Evening Times, Monroe, Wis.; Times-Call, Racine, Wis.; Daily Freeman, Waukesha, Wis.; Telegram, Chippewa Falls, Wis.

Daily News-Times, York, Nebr.; Independent, Grand Island, Nebr.; Daily News, Omaha, Nebr.; Daily News, Nebraska City, Nebr.; Times, St. Louis, Mo.; Daily Chronicle-Herald, Macon, Mo.; America, Poplar Bluff, Mo.

OHIO NEWSPAPERS ENROLLED

Telegram, Youngstown, Ohio; Post, Cincinnati, Ohio; Citizen, Columbus, Ohio; News-Bee, Toledo, Ohio; Press, Cleveland, Ohio; Star-Journal, Sandusky, Ohio; Times-Press, Akron, Ohio; Daily Newssignal, Middletown, Ohio; Evening Tribune, Ironton, Ohio.

Press, Fort Worth, Tex.; Journal, Beaumont, Tex.; Daily News, Amarillo, Tex.; Morning Review, Cleburne, Tex.; Post, El Paso, Tex.; Press, Houston, Tex.

News, Oklahoma City, Okla.; Times-Democrat, Muskogee, Okla.; News, Ponca City, Okla.

Express, Denver, Colo.; Leader, Great Falls, Mont.; Post-Enterprise, Sheridan, Wyo.; Press, Sioux Falls, S. Dak.; Republican, Mitchell, S. Dak.; Daily Pioneer, Bemidji, Minn.; Daily People's Press, Owatonna, Minn.; Daily Enterprise, Virginia, Minn.; Star, Seattle, Wash.; Evening News, Port Angeles, Wash.

News, San Francisco, Calif.; Sun, San Diego, Calif.; State-Tribune, Albuquerque, N. Mex.; Times, Shreveport, La.; Post, Birmingham, Ala.; Herald, Haines City, Fla.

PENNSYLVANIA BEING CANVASSED

Press, Pittsburgh, Pa.; Daily News, Ashland, Pa.; Evening Times, Warren, Pa.; Evening Standard, Milton, Pa.; Evening Journal, Corry, Pa.; Chronicle-News, Allentown, Pa.; Times, Chester, Pa.; News-Dispatch, Jeanette, Pa.

Daily Globe, Ironwood, Mich.; News, Iron Mountain, Mich.; News, Alpena, Mich.; Journal, Sturgis, Mich.; News, Monroe, Mich.

News, Knoxville, Tenn.; Press, Memphis, Tenn.; Inquirer, Owensboro, Ky.; Daily News, Little Rock, Ark.; Daily Republican, Cherryvale, Kans.; Post, Washington, D. C.; Exponent, Clarksburg, W. Va.; Post, Morgantown, W. Va.; Bee, Danville, Va.; Piedmont, Greenville, S. C.; Daily Record, Hickory, N. C.; News-Tribune, Rome, Ga.; Post, Baltimore.

Enterprise, Brockton, Mass.; Times, New Bedford, Mass.; Evening Post, Worcester, Mass.; Daily News, Burlington, Vt.; News, Rutland, Vt.; Journal, Lewiston, Me.; Times-Leader, New Haven, Conn.; Evening Herald, Manchester, Conn.

Jersey Journal, Jersey City, N. J.; Times, Bayonne, N. J.; Courier, Camden, N. J.; Bronx Home News, Brooklyn Citizen.

CALIFORNIA PAPERS INCLUDED

Democrat, Johnstown, Pa.; Star, Ventura, Calif.; Star, Tucson, Ariz.; Milway Driller, Taft, Calif.; News, San Jose, Calif.; Imperial Valley Press, El Centro, Calif.; Daily Independent, Ashland, Ky.; Sun, Waukegan, Ill.; Herald, Titusville, Pa.; Evening News, Sault Ste. Marie, Mich.; Times-Journal, Dubuque, Iowa; Democrat, Durango, Colo.; News, Portland, Oreg.; Evening News, Benton, Ill.; Daily Republican, Marion, Ill.

Telegram, Salt Lake City, Utah; Evening Telegram, San Bernardino, Calif.; Press, Muncie, Ind.; Gazette, Niagara Falls, N. Y.; Sun, Durham, N. C.; Leader, Frederick, Okla.; Evening Herald, Rockhill, S. C.; Star, Bridgeport, Conn.; Daily Times, Tampa, Fla.

Daily Enterprise, Chico, Calif.; Daily Review, Bisbee, Ariz.; Daily Herald, Biloxi-Gulfport, Miss.; Daily Times, Wichita Falls, Tex.; Evening Bulletin, Miami, Ariz.; Cedar Valley Times, Vinton, Iowa; Chronicle, Marshall, Mich.; Telegram, Concord, N. H.; Star Eagle, Newark, N. J.

Mr. BLANTON. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. BLANTON. Is the gentleman in favor of the return to the open saloon?

Mr. CELLER. Of course not, and the gentleman knows that.

Mr. BLANTON. How are you going to sell beer and wine?

Mr. CELLER. I will sell beer and wine through the Government, and I intend to speak again on that subject. I think the Government has the right to enter into the business and the Government should adopt a dispensary system, such as was conducted some years ago in one of the Carolinas, and as is now being conducted in the Province of Ontario, in Montreal, and other Canadian cities. The Government should buy all distilled spirits and wines in bond and all floor stocks. Hard liquor should be sold by the Government through dispensaries for medicinal purposes. Light wines and beer up to 8 per cent alcohol could likewise be sold in such Government stores, but to be consumed off the premises where sold. That would avoid having the open saloon again.

Mr. BLANTON. Does the gentleman want to permit any café or restaurant to dispense these liquors?

Mr. CELLER. That is a matter that can be determined later on. First, let the Government dispense it and then if the people want a change in that regard, then let wines and beer be sold by private individuals, but for consumption off the premises where sold and that, as I say, will prevent the return of the open saloon. Furthermore, each State should have the

right to determine just what kind of enforcement it wants. That, roughly, is my position.

Mr. BLANTON. As I am going to answer the gentleman in a few minutes I would like to ask him one other question. The gentleman is one of the shrewdest and most ingenious Members on this floor.

Mr. CELLER. I do not care for bouquets. I want light wines and beers.

Mr. BLANTON. I was referring to his ingeniousness and shrewdness the other day when he worked into his facetious speech a beer recipe and put it in the RECORD. I want to ask the gentleman what was his real motive in putting that beer recipe in the RECORD.

Mr. CELLER. If I have the time I shall be very glad to answer the gentleman.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GRIFFIN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. CELLER. I will say to the gentleman from Texas that I put that beer recipe in the RECORD—

Mr. BLANTON. The gentleman's real purpose.

Mr. CELLER. And I put something else in the RECORD that the gentleman has overlooked.

I inserted the following:

One of the stories that Thomas Jefferson repeated at Monticello was the one on Jefferson's boyhood chum, Ben Harrison. While a Member of the Continental Congress at Philadelphia Ben Harrison was joined by a friend as he left the Congressional Hall. He took him for a bumper to a place where supplies were furnished Members of Congress. They called for two glasses of brandy and water. The man in charge replied liquors were not included in supplies furnished Congressmen. Ben Harrison said, "Why not? What are those New England Members drinking over there?" The answer was, "Molasses and water, which they charge to stationery." Harrison rejoined, "Very well; give us brandy and water and charge it to fuel."

Mr. BLANTON. But what was the real motive of the gentleman?

Mr. CELLER. Now I will tell the gentleman.

Mr. BLANTON. I asked the gentleman that, but he has not answered the question.

Mr. CELLER. That story is history and I put it in the RECORD also, and I will say that that story is just as important from a historical standpoint as Washington's beer recipe. The Washington beer recipe is found in every proper biography of General Washington; it is a part of his life; it is a part of his history, and you can no more take out of the biography of Washington that beer recipe than you can destroy Parson Weem's story of the cherry tree. It is just as important, one as the other.

Mr. BLANTON. And what was the gentleman's purpose?

Mr. TYDINGS. Will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Maryland.

Mr. TYDINGS. Does the gentleman mean to say that in 1926, after 136 years of unparalleled prosperity, that on the floor of Congress he would insinuate that that great patriot, George Washington, drank that vile stuff called beer?

Mr. CELLER. Not only do I insinuate that he drank it but he drank it often and probably not too wisely.

Mr. UPSHAW. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. UPSHAW. Does the gentleman believe that the Father of His Country, who helped to establish the Constitution, would violate it if he were living now?

Mr. CELLER. If General Washington were here at this time I am positive he would be opposed to prohibition, because he liked his beer and he wanted to make his own beer. He was a man's man. He also drank lots of Maderia. More power to him. He was no milk sop. Surely men like Washington do not win battles on barley water and pop.

Mr. BLANTON. And what was the gentleman's purpose?

Mr. CELLER. The gentleman's purpose was to indicate to the gentleman from Texas and to the whole country, in putting Washington's beer recipe in the RECORD, that Washington would oppose prohibition if he were living to-day.

Mr. HILL of Maryland. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. HILL of Maryland. Does the gentleman think that if Washington were here to-day he would accept a seat in this House in direct violation of the fourteenth and fifteenth amendments to the Constitution?

Mr. CELLER. Well, I think the gentleman is somewhat unfair about that. However that may be, we will not go into that question now. It might be embarrassing to some of our colleagues.

Mr. OLIVER of New York. Will the gentleman yield?

Mr. CELLER. Yes.

Mr. OLIVER of New York. Does not the gentleman know that Washington was considered a well-known rebel in his day?

Mr. CELLER. Indeed he was; and I am glad the gentleman said so. He surely would have rebelled against a diet of near beer. He would have wanted something with more "conversation" in it.

Mr. UPSHAW. Will the gentleman yield further?

Mr. CELLER. Yes.

Mr. UPSHAW. Just long enough to say to the gentleman who interrupted him that I challenged the gentleman from Maryland on the floor of this House two years ago to find one single instance in the State of Georgia where the fourteenth and fifteenth amendments have been violated, and further—listen—that any man—

Mr. CELLER. Mr. Chairman, I refuse to yield any further to discuss that.

Mr. UPSHAW. Any man who hides behind the fourteenth and fifteenth amendments shows he can not discuss the eighteenth amendment.

Mr. CELLER. I refuse to yield any further to the gentleman. I hope I have answered the gentleman from Texas as to why I put into the RECORD Washington's beer recipe.

Mr. BLANTON. Now, his real purpose.

Mr. CELLER. The real purpose is to get the record printed and scattered broadcast throughout the country.

Mr. BLANTON. That is the idea. We all knew that.

Mr. CELLER. There is no doubt about it. It is in the RECORD.

Mr. BLANTON. We wanted it from the gentleman.

Mr. CELLER. I did not know the gentleman from Texas did not have knowledge that the CONGRESSIONAL RECORD circulates throughout the country. It is spread throughout the country.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. FUNK. Mr. Chairman, I yield 30 minutes to the gentleman from Kansas [Mr. SPROUL].

Mr. SPROUL of Kansas. Mr. Chairman and gentlemen of the committee, the subject upon which I wish to talk a little while is the subject of crime within the United States, the causes of crime which is attracting so much attention, and what might be preventives of crime.

Crime is increasing to such an extent throughout our peaceful country that it requires an artist to write up a crime story that will be attractive. The subject of crime is one that receives the special attention of peace organizations when they are in session, and religious organizations as well as State and national bar associations. It even receives the attention of the Members of Congress when we are appropriating money to pay the cost of maintaining the penal institutions of our country.

Gentlemen of the committee, we are confronted with the fact that the penal institutions, both of the States and the Federal Government, are capacity full. This condition of affairs in our country is said by some to be a national disgrace. The causes of it doubtless are numerous. To some the Volstead Act is the big contributing cause toward the filling of the State and Federal penal institutions. There are other alleged causes. The Volstead Act probably did not lead to the organization of a band of eight men to enter the offices of the International Harvester Co. in Chicago a few days ago to secure \$80,000. Gentlemen, I do not know what you think about so much crime in our country, but I think the subject deserves the most serious consideration of every Member of this House.

I have requested the different departments of our Government to furnish me some record information, if possible, upon the amount of crime in our country, and I have been advised that the Federal Government does not have such information; but I learned that a gentleman in the city of Washington, Mr. William Helm, jr., during the year 1925, procured from the police departments of our leading cities a lot of information as to the crime that was being committed.

For your information I will call your attention to some interesting records. According to Mr. Helm the following information was furnished him:

In the city of Chicago, out of each 1,000 population in the year 1907 there were 30 arrests; in 1924 there were 82 arrests per thousand. In 1907 the total number of arrests were 63,000 plus, and in 1924, 242,000.

In Detroit, in 1907, 31 per thousand, and in 1924, 129 per thousand, and the total number of arrests in 1907 in Detroit were 11,000, and in 1924, 161,000.

So we observe that crime within this, the best of all nations, is rapidly and alarmingly increasing.

Mr. BLACK of New York. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. BLACK of New York. Does the gentleman know whether those arrests were for felonies or for all crimes?

Mr. SPROUL of Kansas. I will come to that later.

The records show that 8.5 per cent of the whole population of 34,000,000 of people in 170 cities in 1924 were arrested for crime.

Here are more records of the same general character. In 1924 in the following cities there were per each 1,000 of population the following arrests: Tampa, Fla., 442; Houston, Tex., 328; Dallas, Tex., 279; Grand Rapids, 247; Columbus, Ga., 239; Shreveport, La., 202; and so on.

Then in smaller cities than those first mentioned we find substantially the same rapid increase in crime. In Cincinnati in 1907 there were 41 arrests per 1,000; in 1924, 114 per thousand. In Indianapolis in 1907, 59 per thousand, and in 1924, 163 per thousand. In Toledo there was a smaller number—32 per thousand in 1907 and 55 per thousand in 1924.

The crime of theft is one in which we all have an interest. In the city of New York, in 1924, there were 8,075 arrests for theft in some form or another. In Chicago, 13,132; in Philadelphia, 13,687; Detroit, 7,496; Los Angeles, 7,084; Cleveland, 1,555; St. Louis, 19,228.

It is interesting to know something about the ages of those who commit the crimes we complain of. Criminals between 10 and 20 years of age in 1924 committed 28,739 offenses; between 21 and 30, 70,000; between 31 and 40, 56,000; between 41 and 50, 37,000; 51 years and over, 31,000.

The question of the number of murders and manslaughters is an interesting one. In New York, in 1924, there were 297 arrests for murder and manslaughter; in Chicago, 499; in Philadelphia, 404; Detroit, 183; in Los Angeles, 161; in Cleveland, 132. The percentage of manslaughter and murder to all other crimes is 1 per cent; that is, the percentage of all of murder and manslaughter to all the crimes committed for which arrests are made is 1 per cent.

Mr. LAGUARDIA. The gentleman has given us the number of murders and manslaughters and not the percentage. New York having a lower rate and double the population, it is below the other States. Please take note of that.

Mr. BLACK of New York. Can the gentleman give us the percentage that thefts bear to other crimes?

Mr. SPROUL of Kansas. I do not have that, but I can furnish it.

Mr. WURZBACH. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. WURZBACH. Has the gentleman any statistics about his own cities in Kansas?

Mr. SPROUL of Kansas. Yes. I will give it to the gentleman.

Mr. MORTON D. HULL. I would like to ask the gentleman if an offense is murder until the man is convicted?

Mr. SPROUL of Kansas. I suppose it would be generally considered. This general term applies to a death that is determined by the circumstances to be murder.

Mr. HUDSPETH. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. HUDSPETH. I have been wondering whether or not the data the gentleman has given us is sufficient data to indicate whether or not crime is on the increase or decrease at the present time.

Mr. SPROUL of Kansas. I have shown that in 1907 the number of arrests per thousand of population and given you the number in 1924, so that the gentleman can easily determine himself.

Mr. HUDSPETH. But the gentleman's statement gives the conditions in different States.

Mr. SPROUL of Kansas. It does, and in 90 per cent of the States crime has rapidly increased.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. SPROUL of Kansas. I will.

Mr. SHALLENBERGER. Has the gentleman the number of arrests for traffic violations which have multiplied by thousands?

Mr. SPROUL of Kansas. I will refer to that in a minute.

Mr. BLANTON. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. BLANTON. Is it not true that following every war there is an increase in crime, and is it not also true that following that there is a reaction in favor of a support of all laws? Has not that been the history of the country?

Mr. SPROUL of Kansas. Ultimately it might be said to be so.

Mr. BLANTON. We have recently come out of one of the greatest wars in the history of the world where 4,000,000 men were in uniform and training. It could be expected that there would be an increase of crime following such a war.

Mr. LAGUARDIA. Is it the war or economic conditions that are brought about by war?

Mr. SPROUL of Kansas. It is interesting to note that the success of the public prosecutors enforcing the law varies in the different States. In New York the percentage of those who are arrested and later convicted is 75.2; in Chicago, 30.2; in Baltimore, 58; in San Francisco, 17; Washington, D. C., 75; in Minneapolis, 84; in Rochester, N. Y., 60; in Oakland, Calif., 87; in Omaha, Nebr., 50; in Dayton, Ohio, 78; in Norfolk, Va., 64; in Grand Rapids, Mich., 9.8; Jacksonville, 10.8.

Mr. LAGUARDIA. Is that what makes Florida so attractive? [Laughter.]

Mr. SPROUL of Kansas. I want to call your attention to an article in the Herald of yesterday on the subject of crime in the city of Washington. The Herald says that there were 754 cases before the courts of Washington City day before yesterday. Four hundred and fifty of them were for traffic violations. The Herald also states that the prisons of the city of Washington are full to their maximum capacity and that appropriations for additional prisons are required.

Now, gentlemen, I want to call your attention to another matter.

Mr. BLANTON. Will the gentleman mind stating what he is leading up to as a conclusion?

Mr. SPROUL of Kansas. I purpose calling attention to the percentage of the traffic law violations and to what, in my judgment, is the leading cause of crime in the United States. I purpose suggesting a remedy or remedies for this condition.

Of all the crimes committed in this country approximately two-thirds are for traffic violations. Here in the city of Washington, perhaps, 65 per cent of the arrests are for traffic violations. I call the attention of gentlemen to the alarming condition in the United States. Think of it! Every penal institution in the entire land filled and overflowing, filled to bursting, and every penal institution in the Federal Government without room for more. They are knocking at our doors for appropriations for more prisons. I submit that it is time that every Member of Congress should inquire, should think, should wonder, as to the cause or causes of such an alarming condition in a Nation that has the enviable place for peace and harmony that our great country has among the nations of the earth.

I repeat that whenever every penal institution in our whole land is full of convicts it is time to ask the question, Why does this condition exist and what is the cause of it? When we have located the causes, I ask here if it is not time for thinking men, charged with the duty of helping to run this Government, to come forth with a remedy? What are we going to do about it? Continue to build penal institutions and let conditions continue in the future as they have been going in the past?

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. WHITE of Kansas. Did my colleague state from the information in his possession what percentage of crime in the cities which he has so catalogued is chargeable to traffic violations?

Mr. SPROUL of Kansas. I have given the number, but that does not state the whole truth.

Mr. WHITE of Kansas. Did the gentleman give the total number in all of the cities?

Mr. SPROUL of Kansas. It varies in the different cities. From 33½ per cent to 75 per cent of all the violations are traffic violations.

I want now to call attention to the kind of government we have. Washington has been and always will be quoted, as Hamilton always has been and will be quoted upon our Constitution. I am a great believer in George Washington's doctrine of government, his idea of government, and I am a still stronger believer in an Alexander Hamilton kind of government; but I am a very strong believer in the doctrine of the principles of Thomas Jefferson when and wherever they are the best. [Applause.] I was born and reared in one of the States that believed that it had the right to withdraw from the Union. My earliest ideas of government were those of local self-government, State rights; but, gentlemen, when we study without prejudice the causes of the Revolutionary War and come to understand the denials of the people who inhabited the thirteen Colonies, and their petitions for the right to select their own governors and rulers, which was denied them, there

is no wonder that at the end of a 13 years' war to secure the right of local and self government they would be prejudiced in favor of the Jefferson idea of government. They were disposed to go too strong in that direction. When the Articles of Confederation were first drawn it was with a great reluctance and prejudice in favor of State rights and local self-government that they yielded powers to the Federal Government. They grudgingly gave up to the Federal Government, and so they did not yield to the Federal Government enough power, and in 1787 we had to make the Constitution which we now have. It is easy to understand that Hamilton had studied with care the needs that our great Government would have for power to meet the problems of state.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. CONNALLY of Texas. Is it not a fact, without detracting in any way from Hamilton and his great ability, that Hamilton attended the convention in Philadelphia only for a very short period, and took very little interest in its work until right near the close?

Mr. SPROUL of Kansas. I do not agree with the gentleman.

Mr. CONNALLY of Texas. The record shows the facts.

Mr. SPROUL of Kansas. Let me call attention now to what was done. It does not matter, for the sake of this subject, just how much part Hamilton did take in the making of the Constitution, but I do know that his wonderful talent of statesmanship was appreciated by the president of that convention or association, and when he took his departure it was with great reluctance on the part of General Washington. Why? Because he knew more and better the capacities and wisdom and foresight and real statesmanship of Hamilton than anyone else.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. BLACK of New York. Is it the gentleman's opinion that the cause of the crime wave is due to the fact that the Constitution in 1787 was a Hamilton-Jefferson institution, and to-day, with the increased crime wave, is a Wayne B. Wheeler creation?

Mr. SPROUL of Kansas. I do not agree with the gentleman, but here is the idea.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. FUNK. Mr. Chairman, I yield 30 minutes additional time to the gentleman.

Mr. SPROUL of Kansas. When that convention adjourned Hamilton was satisfied with two things, that the Congress should have the power to legislate for the general welfare and for the common defense. History does show the enthusiasm and the influence with which Hamilton endeavored to secure the adoption of this Constitution. Since that time our great country has made phenomenal progress. Since that time we have grown to have 115,000,000 people. Since that time and now we have, within 600 miles of the city of Washington, 40,000,000 people—40,000,000 as near to the Capital of the Nation as the most remote part of Texas is to the capital of Texas. We have made such progress as enables a citizen of Seattle, Wash., to reach the Capital to-day in much shorter time than a citizen in the farthest away point in the State of Virginia could reach Washington when our Government was started upon its illustrious career.

I wish now to refer to provisions in the Constitution with reference to the rights of the citizens of the country. No matter to whom credit is due for that provision in the Constitution with reference to the full faith and credit that shall be given in one State to the official acts of another State, it was through the wisdom, foresight, and statesmanship of some man or men who could read accurately the future needs of the citizens of this country. Within the Constitution is the further provision that the citizens of each State shall be entitled to all privileges and immunities of the citizens in the several States. It was foreseen that those who might commit crime would flee to some other State for protection. Provision was made for the extradition of such fleeing citizens, but there were some things that were not foreseen or that were overlooked. The Congress was given the power to establish post offices and post roads. Congress was given power to regulate interstate and foreign commerce. In looking over the needs of our people in this country and reading and applying the Constitution to those needs I do not see how we can fail to venerate the name of every man who had anything to do with the making of such a wonderful and immortal instrument.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. I yield.

Mr. BLANTON. I am one of those here who is trying to follow the gentleman. Just what conclusion is the gentleman attempting to draw?

Mr. SPROUL of Kansas. I shall come to that if the gentleman will be patient.

Now we are building State highways all over the United States at the instance and upon the action and initiative of the Federal Government. At the conclusion of the hearing before the Good Roads Committee not a solitary objection came from any source, from any place within the United States against Federal aid for roads. The indorsement of the plan was unanimous. The evidence showed there were places within the United States where the Federal engineers had been solicited to come and help solve the traffic problems. Now, furthermore, we find recently in the city of Chicago that many citizens therein ask the Federal Government to assist in eliminating from that city an intolerable crime wave. In the United States industry has so developed and so grown that to-day there is not a leading business man in the United States but who has for his business territory the entire country of the United States. No matter where you go you will find representatives traveling through the country representing the leading industries of this whole country. Whereas the business territory of a citizen 100 years ago was limited to his State, now it has the whole United States. Hence we conceive the wisdom of this provision put in the Constitution giving to the citizen of one State the rights of those of every other State. I want to call attention to the actual kind of Government that we have. I think it is a wonderful Government; I like its principles; I like the local self-government idea whenever it serves the purpose. I remember the time when a little road district superintendent determined the kind of road we should have. I remember the time when that gave way to the county system. I remember the time—and it is very recent, too—when the county system had to give way to the State system, and when the State system wisely gave way to the Federal system, showing the inadequacy of the original principle of local self-government that King George drove us to adopt, and showing that Hamilton's idea had to be resorted to in order to get the best kind of Government. [Applause.]

Now, what is the kind of Government we have? We have 48 independent sovereignties in this country; and then we have the Federal Government, making 49; and then we have the District of Columbia government, making 50 independent law-making bodies; and then within every State we have on the average four or five hundred independent municipal law-making bodies. Once upon a time I compiled the laws of a little city. I know they had not less than 100 criminal statutes in the municipal organization. If you would multiply, you would see that we have in the United States more than 2,000,000 criminal laws which, when we travel, as we have to travel, over the country we must know. In traveling over the country and in passing from one of these jurisdictions into another we are presumed to know all of those laws. Besides, we have rules and regulations of the various departments and bureaus, both of the Federal Government and each of the State governments, making thousands more of criminal laws which we are to know and obey, or otherwise we go to the police court. Then we have 200 tribes of Indians, in each of which there are laws and regulations which are to be known and observed, besides the laws of the Federal Government of the United States. Now, as we pass over the country with the most complex law restrictions and limitations upon the activities of its citizens, it is impossible to avoid breaking those laws. We break them every day. Everybody breaks them. Everybody violates them—traffic laws and restrictions that no human being can know and can avoid breaking as we transact our business. Forbidding parking as long as 30 minutes at one place, and to observe that we must have a correct time-keeping watch with us and closely watch our timepiece, and see that we move within the 30 minutes, otherwise we go to the police court.

Now, just for a minute I am asking you thinking men if the continual breaking of all laws has the tendency to breed disrespect for law? You hear as we go about the expression, "We have too many laws, too many laws; nobody can keep them." When you have been pulled into the police court time after time with every manner and form of criminal, so to speak, because you have unavoidably broken laws, how can you have the proper regard for our altogether too numerous laws? A young man in my office yesterday said he stopped his car to see if he had blown out a casing, and when he went around to the rear of his car a cop came up and observed that he was not where he should be, and he was taken to the police court. Time was taken from him and he was required to put up a \$10 deposit for his appearance while he went to get a lawyer and take him

into court to show that he was wrongfully held and without any excuse. What was the state of mind of that young man with respect to the too numerous laws? I call your attention to this. Every State has different laws in every respect from every other State. Every city has different laws from every other city, and they are different in application within the jurisdiction of the same city, one thing at one place and another at another. In one place you will find that if you drive faster than 12 miles per hour you are fined, and at another place if you do not drive faster than 12 miles an hour you are fined.

Mr. BLANTON. Will the gentleman yield?

Mr. SPROUL of Kansas. I will.

Mr. BLANTON. If the gentleman will introduce a resolution that we pass this supply bill and adjourn and go home, I will support it.

Mr. SPROUL of Kansas. The gentleman has introduced a resolution calling for the appointment of a committee of five, consisting of three Members of the House and two of the Senate, to investigate the question of making uniform the traffic laws of the States and the cities, and to make such other recommendations as may bring about a uniformity of laws throughout the United States.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield there?

Mr. SPROUL of Kansas. Yes.

Mr. BLACK of New York. I wonder if the gentleman has in his figures anything to indicate how many people convicted of violations of the Volstead Act are treated like malefactors and put in jail and mingled with criminals?

Mr. SPROUL of Kansas. It is a fact that a large percentage of the crimes consist of violations of the Volstead Act and other acts making it a crime to be intoxicated while driving cars in public places, and things like that.

Mr. BLACK of New York. Do you not think it ought to be considered a crime to drive when intoxicated?

Mr. SPROUL of Kansas. Yes.

Now, here is something that I want to call your attention to. I think there ought to be an effort made on the part of the Federal Government to bring about a uniformity of laws, of the major offenses as well as the traffic laws. Furthermore, if the Federal Government will not enforce its laws, if it looks upon the violation of law as though it were an unimportant matter, if the Congress will not empower the Attorney General to enforce the law against the higher-ups as well as the lower-downs, how can we expect the fellows at the bottom to observe the law?

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield there?

Mr. SPROUL of Kansas. No; I beg the gentleman's pardon.

Mr. BLACK of New York. All right.

Mr. SPROUL of Kansas. Whenever the Federal Government may have its property taken from it by unlawful means, by questionable means, without prosecution and conviction, I ask you how can we expect the citizen of a State to have the proper respect for law? Very well. What would you do? I know there is a question in the mind of Members. What do you suggest to be done? What do you advise to be done?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. BLANTON. The gentleman would not want Congress to sit here and pass laws for the people of Kansas, would he?

Mr. SPROUL of Kansas. Oh, no.

Mr. BLANTON. You want your Kansas Legislature to do that?

Mr. SPROUL of Kansas. Yes. Here is what I think ought to be done: I think the Federal Government has a system of laws for which it is responsible. It has the Constitution to enforce and to require respect for, and it should set an example to each of the States in law enforcement.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. No; I beg your pardon.

I have had a brief made of the duties of the Attorney General of the United States and have carefully read every act in reference to his duties. I think that this Congress owes it to the Government to fully authorize and direct the Attorney General, independent of anybody else, to enforce the Federal law; and, furthermore, to convene, if necessary, the district attorneys of the Nation and demand that they shall discharge their duties or quit their jobs.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield there?

Mr. SPROUL of Kansas. No.

I think, too, that he should be directed to call together the attorneys general of the different States and offer to work in

harmony with them in enforcing the law. I think the Federal Government ought to treat the United States as a Nation, instead of a mere federation of States, each one to run its own society.

Mr. BLACK of New York. Mr. Chairman, will the gentleman yield there?

Mr. SPROUL of Kansas. Yes.

Mr. BLACK of New York. I want to say to the gentleman that some time ago I introduced a resolution, which has gone to the Committee on the Judiciary, for the purpose of asking the President to suggest to the Attorney General that he call together all the law-enforcement officers of the Federal Government and the States to meet here in Washington.

Mr. SPROUL of Kansas. That is a good idea.

Mr. BLACK of New York. Will the gentleman appear with me before the Committee on the Judiciary on it?

Mr. SPROUL of Kansas. We can do this, gentlemen: We can say, "Let the States do that." We can say that we believe in State rights. We can say that we believe in local self-government as an excuse for not taking the initiative in this matter. But for one I am in favor of the George Washington and Andrew Jackson and Thomas Jefferson and Alexander Hamilton ideas of government. Let us combine the good of all their doctrines and clean up the crime of this country.

Mr. BOYLAN. Mr. Chairman, will the gentleman yield right there?

Mr. SPROUL of Kansas. Yes.

Mr. BOYLAN. The gentleman knows that if we espouse the Alexander Hamilton theory of government we could not espouse also that of Thomas Jefferson?

Mr. SPROUL of Kansas. Yes; we could use part of one and part of others. We can not take on all of Jefferson, but we can take a part and some of the Hamiltonian ideas. Let us place the United States in its proper place among the nations of the earth that it deserves to occupy for maintaining nationally as well as internationally.

Mr. WURZBACH. Mr. Chairman, will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. WURZBACH. I gather from the gentleman's remarks that what he is complaining about is not the lack of power on the part of the peace officers but of their failure to perform the duties that they now have. Is that right?

Mr. SPROUL of Kansas. I would not say that. I am not finding any fault with anybody because of his construction of the law with reference to his duty.

Mr. WURZBACH. What further powers would you give them?

Mr. SPROUL of Kansas. We can do this: We can enact a law stating that it shall be the duty of the Attorney General to do certain things, and that he is directed to do them.

Mr. WURZBACH. Is he not already required to do that by the law?

Mr. SPROUL of Kansas. No; I think he has an excuse. I think this ought to be done by a committee. It should recommend a plan to secure uniformity in laws, both the major laws as well as the traffic laws, and I think they ought to recommend raising the salaries of public prosecutors in the National Government as well as in the States. They ought to shorten up the legal procedure, so that there can be a quick ending of the trial of a criminal, and then we ought to repeal not only the Federal but the State parole statutes.

Let me recite an incident that happened in this city. Sixty days ago a young man under 16 years of age stole an automobile belonging to one of the Congressmen here and got away with it. It did not suit him exactly, and he stole another one. With the second one he was apprehended. He was taken to our municipal court here, where he pleaded guilty and was paroled to his father.

The next day he was in school talking over the trouble, although it was not trouble. Within 30 days thereafter the younger brother of this automobile boy and his neighbor chum, who knew how easy it was to steal automobiles and get away with them, stole some other cars and they, too, were taken to court. They were paroled with the father and he now has two sons under 16 paroled to him on charges of auto stealing. That is a concrete illustration and example of the way the parole laws act. It is not a cause but it is an inducement. The parents were not disgraced. The mother would not even attend court. She knew what had to be done; she knew her boy would be at home that night and go to school the next day. That is the kind of sentimental sob stuff that is filling our jails and our penitentiaries. There is no question about it. You have got to have a deterrent; something to stop crime and cause the parents to teach the rights of individuals, personal and property rights, before you can have crime stopped in this

country. The Federal Government should take the initiative in bringing about the results to which I have called your attention. [Applause.]

IN THE HOUSE OF REPRESENTATIVES,

March —, 1926.

Mr. SPROUL of Kansas introduced the following resolution, which was referred to the Committee on Rules and ordered to be printed:

Joint resolution providing for the appointment of a joint committee of the Senate and House of Representatives to investigate the causes of an alarming amount of crime and what appears to be a failure to properly enforce the laws in the United States, and for other purposes

Whereas the amount of law violations in the United States has been so rapidly increasing as to attract the attention of all law-abiding citizens, and, until it has become a national disgrace and jeopardizes the lives and property of the American people, and our institutions for learning; and

Whereas within the United States there are 50 independent governments, each with a separate executive and law-making department, with hundreds of criminal statutes upon the statute books of each; and

Whereas there are approximately 25,000 semi-independent municipal governments within the United States, each with a separate executive and law-making body, with hundreds of criminal laws upon the statute books of each; and

Whereas there are upon the statute books of the thousands of different governments in the United States more than 1,000,000 criminal laws, each restricting and limiting the liberty and freedom of the American citizen; and

Whereas the growth and development of the United States commercially and industrially has increased the requirements of the American citizen for travel throughout the whole territory of the United States, making it necessary for our citizens to frequently pass through hundreds and thousands of different law-making jurisdictions; and

Whereas every citizen is presumed to know the law, even though it is impossible for him to do so if he would; and

Whereas the laws of the various jurisdictions throughout the United States into and through which its citizens are of necessity continually passing, making it unavoidably and indispensably necessary to violate certain laws of this country; and

Whereas a great abundance of crime goes unpunished for lack of detection, and men charged with crime are permitted to secure delay after delay until acquittals are secured: Therefore be it

Resolved, That a joint committee of the House and Senate is hereby created, to consist of five members, three to be appointed by the Speaker of the House of Representatives and two to be appointed by the President of the Senate, to investigate the causes of the growing sentiment against statutory law, and the reasons and causes for a lack of better law enforcement, and to report its findings and recommendations to the United States Senate and House of Representatives, separately, as to proposed legislation and comity relationships between States, and any such further recommendations as to the committee may deem proper to be made; and the sum of \$10,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated for the purpose of making effective the objects of this resolution.

Mr. GRIFFIN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. BOYLAN]. [Applause.]

Mr. BOYLAN. Mr. Chairman and gentlemen of the House, I will use my time in reading into the RECORD a copy of a letter sent by the Secretary of State to the Hon. STEPHEN G. PORTER, chairman of the Committee on Foreign Affairs, House of Representatives:

THE SECRETARY OF STATE,

Washington, March 2, 1926.

MY DEAR CONGRESSMAN: I received your letter of February 26, inclosing a copy of the resolution introduced by Congressman BOYLAN, which reads as follows:

"Resolved, That the Secretary of State is hereby authorized and directed, if not incompatible with the public interest, to furnish to the House of Representatives at the earliest possible date such data and information as he may have in respect of the expulsion from Mexico of citizens of the United States on account of their religious belief."

The only information I have as to the expulsion of citizens of the United States from Mexico is the following:

(1) In a dispatch from the American ambassador to Mexico I learned that Mesdames Semple, Evans, and Connelly, of the Academy of the Visitation, a Catholic school situated at Coyoacan, in the neighborhood of Mexico City, had been ordered expelled. Mr. Sheffield interceded for them with the Minister of Foreign Affairs. The order was subsequently revoked, but I am informed by the American ambassador that they believed it to be the best policy to close their school and leave the country, and they are leaving on the 4th day of March for Mobile, Ala. I have to-day received a message that Madame Semple has informed the embassy that all Government supervision has been withdrawn from property at Coyoacan.

(2) Another case which came to my attention was that of Dr. J. A. Phillips, a Methodist Episcopal ordained minister, who was principal of the Institute of the People, a school at Piedras Negras, opposite Eagle Pass, Tex. The expulsion was also said to include three teachers. It was afterwards reported to me that the order had been revoked, and I am now informed by the embassy in Mexico that Phillips will be allowed to return to Mexico and the school will be reopened provided he, being a foreigner and a minister of religion, does not teach. I take it in this case the expulsion is claimed on the ground that under the Mexican Constitution no ordained minister of any creed may teach in a school of primary instruction.

(3) There has been reported to me that Elder Ralph E. Brown, of the Church of the Latter Day Saints, was ordered to leave on February 20 by the municipal authorities of Tula de Allen, de State of Hidalgo, and that the following Mormon missionaries from Ozuumba, State of Mexico, have been given 10 days by the municipal authorities in which to leave the State. No mention is made of their leaving the country. The names of the parties as near as I can make out are Owen V. Call, Daniel H. Higgenbotham, and one other person, whose name I can not make out from the dispatch, from Salt Lake City, and Alton S. Hays, of Provo, Utah. Mr. Sheffield reports that he is doing everything he can on behalf of Madame Semple and any other American citizens who may be in difficulty, and that he will continue to do so. He has been instructed to this effect.

It is impossible for me to determine in each one of these cases exactly the ground of expulsion, but I assume on the ground that they are teaching in violation of the constitution and laws of Mexico, which I have furnished you.

Very sincerely yours,

FRANK B. KELLOGG.

HON. STEPHEN G. PORTER,

Chairman Committee on Foreign Affairs,

House of Representatives.

Mr. GRIFFIN. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. HASTINGS]. [Applause.]

Mr. HASTINGS. Mr. Chairman, I want to direct the attention of the Members of the House to a bill (H. R. 5406) which I have introduced, to provide for the furnishing of surety bonds by all banks, national and State, and trust companies which are members of the Federal reserve system for the protection of depositors.

It will be noted from reading the bill that it affects only those banks, State and national, and trust companies which are members of the Federal reserve system, as Congress, of course, has no jurisdiction over banks organized under State laws unless they are members of the Federal reserve system.

This bill would require these banks to file in the office of the Treasurer of the United States a surety bond conditioned for the payment by said banks and trust companies, upon demand, to the depositors of said banks or trust companies, 25 per cent of the amount of their deposits. As to banks already organized, it would require this bond to be filed within six months after the approval of the act, and upon failure to file the bond the Comptroller of the Currency is required, as to national banks, to sue for a cancellation of the charter, and as to State banks and trust companies that they shall fail to be a member of the Federal reserve system upon failure to file the required bond.

Section 2 provides that new national or State banks and trust companies, members of the Federal reserve system, when organized, are to furnish bond in an amount equal to the capital stock of the bank at the time of organization and annually thereafter furnish a bond in an amount of 25 per cent of the deposits as shown by the annual statement.

Section 3 makes it the duty of the Treasurer of the United States to ascertain the financial responsibility of the surety company before approving any such bond in order that only bonds of reputable and responsible surety companies may be accepted, and in event any bond is not approved 30 days' additional time is given after notice of disapproval within which a new bond may be filed by any bank or trust company.

Section 4 permits surety companies the same privilege of examining banks as now given by law to the Comptroller of the Currency.

Reports are required to be filed on the 1st day of January of each year showing the deposits of said banks which come within the provisions of the law in order to ascertain the amount of bond required to be made.

It will be noted that the bill only requires a bond in an amount equal to 25 per cent of the amount of the deposits. This percentage is fixed upon the theory that with the close supervision of the Comptroller of the Currency through bank examiners and with the added supervision of the surety company making the bond, that a bond of 25 per cent of the deposits would always be sufficient to guarantee any bank against failure and would protect the depositors against all loss. Of

the failed banks brought to my attention if 25 per cent of the deposits had been supplied in cash by a surety company, as this bill would require, I know of no bank that would have failed. In the event, however, it is found that 25 per cent is not sufficient, the percentage could be increased.

The comptroller reports that the average rate of dividends paid on claims approved was 77.84 per cent, and including offsets allowed and loans paid and other disbursements and dividends, that the creditors received on an average of 84.24 per cent. It would seem, therefore, that a surety bond in an amount equal to 25 per cent of the deposits would be adequate to guarantee all deposits and the banks should not be required to pay larger premiums on bonds than is reasonably necessary to guarantee all deposits.

It may be inquired as to the necessity of this legislation. In answer permit me to say that every bank, State and national, which receives school, county, city, and State deposits is required to give a surety bond in an amount equal to the deposits. This is true regardless of the financial standing of the bank. If a bank is required to give bond to secure the deposits of school, county, city, and State deposits, why should it not be required, in a reasonable amount, to insure individual deposits against loss? I see no difference in principle. In the State of Oklahoma all Indian funds deposited with banks, no matter how strong, are required to be secured either by surety bonds or by a deposit of securities in an amount equal to the deposits.

For my part I see no difference in requiring a bond in a sufficient amount to protect the laborer, the washerwoman, farmer, business and professional man, or all classes who are depositors, against loss. The only argument I have heard against it is that the premium on the bond would be an expense to the bank. Of course, that is true, but banks are required to pay premiums on the bonds given to secure school, county, city, and State funds, and also Indians funds. This bill would not only be a good thing for the depositor but it would be good legislation for the shareholders of the banks. It would result in the executive officers of the banks being more conservative, they would require better security for loans, and their assets would be kept in more liquid form, for they would be subject not only to the supervision and criticism of the bank examiners, but also by the representatives of the surety companies making the bonds for the banks. This would therefore, in my judgment, prevent many banks from failing and would save large amounts to the shareholders in assessments where banks fail, and result in larger dividends being paid the stockholders.

Contrary to the general belief of the public the Comptroller of the Currency reports that the average dividend paid on their capital and surplus by banks is only 6.63 per cent.

Again, the active officers of the banks are required to give bond to protect the bank against loss on their account, notwithstanding they are men and women of high character. If this be true as to individuals, why, on principle, should not the depositors be protected against loss, by requiring the banks to give bonds?

An examination of the comptroller's report for the year 1925 presents an interesting study. On April 6, 1925, the number of reporting national banks was 8,016, with a capital stock of \$1,361,444,000.

Congress passed the Federal reserve act in December, 1913. It provided a financial reservoir to which member banks might go for assistance, and it has been successful since the organization of the Federal reserve banks thereunder in 1914. The failures of banks have been due to a number of causes, and among them are: Too many banks were organized in some communities, some banks were in charge of inexperienced officers, and some have been due to economic conditions. Failures in the South and Middle West have been due to agricultural conditions, and in the far West and Southwest to the losses on cattle, and, of course, a few failures have been due to corrupt management. I think by far the most failures can be attributed to inexperienced management.

This bill, in a way, intends to guard against this because surety companies would be reluctant to make bonds for banks which are not managed by experienced officers.

Again, it has been suggested that surety bonds are not required to insure the deposits of State banks, and that therefore this would be a discrimination against the banks mentioned in the bill. I think it would have the contrary effect, because I believe that it would necessitate every competing bank to take out insurance for the benefit of their depositors. As between two banks, one conservatively managed with a surety bond to protect the depositors, and the other without such a bond, everyone knows, of course, that the majority of the

people would deposit their money in the bank protecting its depositors by surety bond.

In my judgment the premium on the bonds required under this bill would be small as compared with the profit on the increased deposits which the bank would receive, and that therefore this bill would be financially beneficial to all the banks throughout the country. It certainly would make the officers of the banks more conservative and result in fewer bad loans and therefore would result in a greater advantage to the shareholders in increased dividends; it would protect the depositors against loss and would clearly be in their interest.

Again let me state that every bank under this bill would pay for the premium on its own bond. No bank would be dependent upon another bank. I have no doubt it would result in increased deposits for each bank, and therefore increased profits, far in excess of the small amount of premium required to be paid on the bond. Again it would establish confidence in banks throughout the country and bring out of hiding large amounts of money not now deposited in banks. I believe this a good bill from every standpoint. I believe it right in principle, and I want to urge it upon the earnest consideration of the Members of the House.

During my entire life I have exerted my very best efforts to assist in the protection of the men and women of small means who did not possess financial strength or who were not organized to fight his or her own battle, and I am forced to the conclusion that every bank and trust company which is required to furnish a bond to secure school, county, city, and State funds, and also Indian funds, should also be required to make a bond to protect the other depositors who have confidence in the banking institution conducted and protected by the laws of the Federal Government.

Mr. GRIFFIN. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, lest we may forget, I want to read into the Record the eighteenth amendment to the Constitution, and I would like the gentleman from New York to pay attention to it. It provides that—

The manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States for beverage purposes is hereby prohibited.

I want it to be remembered, too, that the great State of Maryland was the sixth State to ratify that amendment to the Constitution. Maryland did not have to ratify it; it was not compulsory upon the Legislature of Maryland; it was their privilege to ratify or not to ratify, as they saw fit. If the people of Maryland were against its ratification, their legislature had the right to turn that amendment down. But it promptly ratified it.

Thirty-six States within a short time ratified that amendment to the Constitution. Proclamation was duly made by the Secretary of State, in accordance with law, and then what happened? It became a part of the fundamental law of this land. After the Secretary made his proclamation and it became fundamental law, then what happened? When it was not even necessary for them to ratify, and when their action did not count one way or the other, we find 10 other States in this Union coming in thereafter and through their legislatures ratifying that amendment. Pennsylvania thus ratified it when it was not necessary, when the action of the legislature did not count, because it was fundamental law already; and the State of the gentleman who spoke this morning against this amendment [Mr. CELLER]—New York—ratified it long after the proclamation had been made. New York ratified it January 29, 1919, and Pennsylvania ratified it February 25, 1919. Why did they ratify if their people were against it? The great State of our distinguished present chairman of this committee—New Jersey—ratified it in 1922, nearly one year after it had become a part of the Constitution of the United States. Why did New Jersey ratify it if the people of New Jersey were against it? Are legislatures absolutely callous and disregarding of the wishes of their people?

I want the gentlemen from New York to pay attention to another part of the Constitution, which reads as follows:

Senators and Representatives—

That means us in Congress—

and members of the several State legislatures and all executive and judicial officers both of the United States and of the several States shall be bound by oath to support the Constitution.

And before the gentleman from New York who spoke this morning could cast a vote on this floor and before he was privileged to make a single speech in this great forum he was

compelled under that Constitution to take an oath, and what was the oath? I want to read that into this RECORD. You will find it in the Manual on page 66. It says:

1—

THOMAS L. BLANTON and EMANUEL CELLER—

do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic—

Listen! That is just a part; here is the balance of the oath—that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

That is the conclusion of that oath, a whole sentence by itself: "So help me God."

Mr. GRIFFIN. Will the gentleman yield for a question at that point?

Mr. BLANTON. Certainly.

Mr. GRIFFIN. I would like to ask the gentleman from Texas whether he conceives that the taking of that oath precludes a Member of the House from advocating any change in the Constitution?

Mr. BLANTON. That is a matter for each one of us to determine under our own consciences. I believe that any American citizen has a right, within lawful circumscription, to propose any kind of a lawful change to the Constitution. Now, how may it be lawfully changed? You can not lawfully change it either by ignoring it or by disregarding it or by overriding it or by nullifying it.

Mr. GRIFFIN. Will the gentleman yield for another question in sequence?

Mr. BLANTON. Certainly.

Mr. GRIFFIN. The gentleman had to confront that very situation when it was proposed to amend the Constitution in order to enable the income-tax law to be passed and then again when we changed the manner of choosing United States Senators. I want to ask the gentleman from Texas whether he contends that the advocacy of those amendments would be contrary to the oath which the gentleman has read?

Mr. BLANTON. Those illustrations are not analogous, unless one would now importune citizens not to pay their lawful income tax or would insist on legislatures ignoring the Constitution and selecting United States Senators without election by the people. I am not reflecting on anybody. I am just reading that part of the Constitution relating to this subject into the RECORD, and we must all follow the dictates of our own consciences, but I do want to make some pertinent observations.

Mr. CELLER. Will the gentleman yield?

Mr. BLANTON. Certainly, because the gentleman himself always courteously yields to others.

Mr. CELLER. Does the gentleman mean to imply that the "gentleman from New York" does not follow the dictates of his own conscience?

Mr. BLANTON. Oh, no! I have no right to make that accusation against anybody and do not do it. That is a question for the gentleman himself to decide. We all have to follow the dictates of our own conscience. And we ourselves must determine whether we are so following them. Now, the gentleman from New York has a perfect right to introduce a resolution to repeal the eighteenth amendment to the Constitution. Has he done it?

Mr. CELLER. The gentleman has done it.

Mr. BLANTON. Is it here?

Mr. CELLER. It is.

Mr. BLANTON. Is it before a committee?

Mr. CELLER. It has been referred to a committee.

Mr. BLANTON. Has the gentleman ever appeared before that committee and asked them to report it out for consideration? Has the gentleman ever asked for a hearing?

Mr. CELLER. He has.

Mr. BLANTON. When?

Mr. CELLER. I asked for hearings on that bill and a bill for an impartial study of prohibition and a bill which I introduced for a referendum.

Mr. BLANTON. I am talking about a measure to amend the Constitution.

Mr. CELLER. If the gentleman will give me an opportunity, I want to reply to him. I introduced a bill for a referendum on prohibition; I introduced a bill to—

Mr. BLANTON. I am only asking about a measure proposing to amend the Constitution.

Mr. CELLER. I will answer the gentleman if he will allow me. I have introduced seven or eight bills at this session and in the last Congress, all for the purpose of effecting a change

not only in the Constitution but in the Volstead Act. I have asked for hearings on every one of them and hearings have always been denied.

Mr. BLANTON. Well, be that as it may, there is but one lawful way to get rid of the eighteenth amendment, and that is for Congress by a two-thirds vote to pass a resolution submitting the repeal to the States, and for the legislatures of 36 States to ratify such repeal. And you will never get all of that accomplished in 100 years.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BLANTON. In just a moment, I will yield.

When the distinguished gentleman from New York, our friend, EMANUEL, first came here, he knew that this eighteenth amendment was part of the Constitution. He knew he was required to take this oath "to support and defend the Constitution of the United States against all enemies, foreign and domestic, to bear true faith and allegiance to it," and that he must have no mental reservation or purpose of evasion. And he took that oath and obligation. He has a perfect right to introduce a resolution here to amend it, but I submit to him whether or not his ingenious speech wherein he extended his remarks and shrewdly put into the RECORD George Washington's beer receipt, which he says he did with the express purpose of having it broadcasted over the United States, when it is a violation of law to publish liquor advertisements. I ask him whether or not that is in line with said oath of office? And is his argument to-day merely urging us to lawfully amend the Constitution or is his purpose to nullify it? We want to understand each other.

Mr. GRIFFIN. Will the gentleman yield?

Mr. BLANTON. Is it to amend or to nullify? I yield, if this other distinguished gentleman from New York can answer for his colleague. Of course, I am going to ask the gentleman to give me some more time because I want to complete my remarks.

Mr. GRIFFIN. I will be very glad to give the gentleman time, but I would like to have him answer this question, if he can.

Mr. BLANTON. Certainly; I shall answer it frankly.

Mr. GRIFFIN. Does the gentleman imagine that the turpitude of the gentleman from New York [Mr. CELLER]—

Mr. BLANTON. I did not say that there was turpitude.

Mr. GRIFFIN. Is greater than that of the gentleman from Nebraska [Mr. HOWARD], who to-day introduced into the RECORD a receipt for the manufacture of a Manhattan cocktail?

Mr. BLANTON. I shall make no comparisons, because they are always odious, and I shall charge no turpitude against any colleague. Each Congressman must determine for himself what his duty and obligation is under his oath, guided by his own conscience.

Mr. CELLER. Would the gentleman prefer the Manhattan cocktail or the recipe for beer?

Mr. BLANTON. I will let the gentlemen determine that for themselves under their respective oaths and consciences. A Federal law provides that it is unlawful to publish by newspapers or otherwise the manufacture of any intoxicating liquor. Beer is intoxicating. Courts have held that beer is intoxicating. If a Manhattan cocktail has both whisky and brandy in it, then it has in it two ingredients that are intoxicating, for courts have held that both whisky and brandy are per se intoxicating.

The Constitution outlaws intoxicating drinks. We are sworn to uphold and defend the Constitution and will bear true faith and allegiance to the same and do it without mental reservation or evasion.

Mr. LAGUARDIA. Will the gentleman yield now?

Mr. BLANTON. In a moment I will gladly. Only two States did not ratify. Forty-six States out of 48 ratified this amendment of the Constitution. The gentleman from New York [Mr. CELLER] in his speech to-day introduced a lot of so-called polls here, and many "wets" would like to post them as authentic and make some uninformed people believe that they are reliable, for the gentleman once stated they came from "dry papers"; they are "dry" like the papers of William Randolph Hearst, when everybody in the United States, who is well posted on the subject, knows that the papers owned and controlled by Mr. Hearst are now doing everything possible to try to break down the prohibition laws, and to incite people to ignore and disregard such laws, and to get Congress to pass some of the proposed nullification measures.

Mr. OLIVER of New York. Will the gentleman yield?

Mr. BLANTON. In just a few minutes, and then I will gladly. And I presume the Denver Post is just about as dry as the Washington Post. [Laughter.] And I presume that the Denver editor of the Denver Post is just about as dry as the Washington editor of the Washington Post, and I presume these

two Post editors are just about as dry as is Mr. Hearst and his newspapers.

Mr. LA GUARDIA. Will the gentleman now yield?

Mr. BLANTON. Yes.

Mr. LA GUARDIA. The gentleman is defining and characterizing the duties of Members, under the evasion clause of the oath which we have taken. Who is the Member who is guilty of evasion, the outstanding wet who seeks to modify the law by proper constitutional or legislative means, or the advocate of the dries who violate the law every day of his life here and in his own community?

Mr. BLANTON. I think we ought to run that kind of dry out of the public service of the United States. No officer in the Army or Navy should violate the law. No official of the United States should violate the law. No Senator or Congressman should violate the fundamental law of his country which he is under oath to uphold and obey, and when they break the law we ought to put them out of the service.

Mr. LA GUARDIA. Then we would not have a quorum here. [Laughter.]

Mr. CELLER. Will the gentleman yield?

Mr. BLANTON. In just a moment I will yield. I want first to answer the gentleman from New York [Mr. LA GUARDIA]. I think that is an unfair accusation against his colleagues. I have been here nearly 10 years. I can count on the fingers of my two hands the colleagues during that time upon whose breath I have smelled liquor.

Mr. LA GUARDIA. That is not the only test, I will say to the gentleman.

Mr. BLANTON. Oh, it is the acid test. When you see smoke there is always some fire. And when there is whisky around the tell-tale fumes are easily detected.

Mr. LA GUARDIA. Does the gentleman go around every morning after a call for a quorum has been made and smell every Member's breath as he comes into the Chamber?

Mr. BLANTON. No; I do not. But I mingle freely with colleagues. Whisky is one thing you can not conceal. When a man drinks liquor you can always smell it on his breath.

Mr. CELLER. Will the gentleman yield at that point?

Mr. BLANTON. And, truthfully, I can count on the fingers of my two hands my colleagues, with whom I have served here 10 years, upon whose breath I have smelled liquor. Of course, some may drink when they are away and are not on duty here in the House.

Mr. CELLER. Will the gentleman yield at that point?

Mr. BLANTON. In just a moment. I want first to finish my answer to the other gentleman from New York [Mr. LA GUARDIA].

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Kindly yield me 10 minutes additional?

Mr. GRIFFIN. Mr. Chairman, I yield 10 minutes additional to the gentleman from Texas.

Mr. BOYLAN. Will the gentleman yield?

Mr. BLANTON. Let me first answer the other gentleman from New York [Mr. LA GUARDIA]. The gentleman represents a big party here and he deserves an answer, as he is his party's sole representative here. You can not find 435 men in any other group in the whole United States who are as sober and free from liquor drinking as are the 435 Members of this House [applause], and you know it. There is much "wet" talk around here, but most of it is influenced by politics, and comes from a very small "gang."

Mr. CELLER. Will the gentleman yield at that point?

Mr. BLANTON. And my colleague [Mr. LA GUARDIA] knows it.

Mr. LA GUARDIA. I will concede that, and I will say that there is the same percentage of drinking men in any other group of 435 gentlemen in the United States. We are no different in this House from any other group of 435 men, whether they be judges, district attorneys, or anything else.

Mr. BLANTON. I now yield to the other gentleman from New York [Mr. CELLER].

Mr. CELLER. The gentleman admits there are some men who vote dry in this House and who drink. The gentleman will admit that, will he not?

Mr. BLANTON. There may be. I will not deny it. And I want to say it is to their credit. They realize the evil of it as affecting their own lives, and they want to save others from the curse. I give much more honor and credit to a legislator who is imprisoned within the awful clutches of the liquor habit, yet who is brave enough and high-principled enough to vote against liquor because he does not want to be instrumental in bringing about the downfall of others, than I give to a legislator who is strong enough to keep himself clear

of the pitfall and does not use liquor, yet is willing to vote it on every man, woman, child, and home in the Nation.

The gentleman from New York should never criticize or condemn any man who drinks and yet who votes dry. There may be such in this House, and I commend them.

Mr. CELLER. Would you say that was in their personal capacity or in their legislative capacity?

Mr. BLANTON. What would the gentleman say? Oh, I am not going to bring any accusation against any of my colleagues. It does not take any straw polls from the Hearst newspapers, or the Washington Post, or the Denver Post to tell me how the situation stands in the United States. These newspapers are simply making themselves ridiculous. The gentleman never saw a straw vote in his life that was correct. They are always misleading. No posted person in the United States considers such votes. I asked the gentleman from New York [Mr. CELLER] if he would submit himself to that kind of an election in New York, and let the newspapers prepare the ballots and distribute the votes, and do all the counting privately for him, and he said no, sir; he would not. Such an election to him would be ridiculous. And to prohibitionists all over the United States this so-called voting conducted by "wet" newspapers is silly, foolish, and ridiculous.

Mr. CELLER. Will the gentleman yield at that point? I asked the gentleman from Texas to give fair consideration to these polls, not to close up his mind, not to seal it up against what the polls might reveal.

Mr. BLANTON. The only correct poll that we have had was on two occasions, one when we voted here in this House on December 22, 1925, and the other was the referendum in the State of Ohio. They had a real bona fide referendum in Ohio on wine and beer, you will doubtless remember. It was put up to the voters in the great State of Ohio, and they answered by a majority of over 100,000 against light wines and beer. Then there was another vote here on this floor. On December 22, 1925, we had a test vote here in the House of Representatives. The "wet" gentlemen did not put one of their wet leaders in front; they jumped over here, and got that great constitutional lawyer, HENRY ST. GEORGE TUCKER, and put him in the lead with an amendment that would have hog-tied the prohibition enforcement unit of this Nation. Every "wet" got in behind him and egged him on, and they marshalled every vote on the floor that they could muster. It is true that some of the New York men were not here, but many of them were here. When the votes were counted, how many "wet" votes does the Denver Post and the Washington Post and Hearst newspapers imagine could be counted? How many did they get? How many could they muster? Seventeen! Look at the Record of December 22, 1925, page 948, and they will see that the "wet" vote was 17 as against 139 "drys." That was the last real, bona fide poll that has been taken.

Now, listen, these Members are just as careful as any representatives of people can be; they keep their ears to the ground as closely as anybody. They would not vote against the wish of their constituencies if they knew it. They would not vote against the voters in their district if they knew it, when they all have to be reelected every two years. They always try to vote the wishes of the voters in their district. What did the people at home want? Prohibition enforcers to the tune of 139 stood up here against 17 wets and snowed them under.

That is the way you will find it in the next Congress, after November elections, regardless of all the "wet" polls by the Hearst newspapers, regardless of the "wet" polls by the Denver Post and the Washington Post, regardless of the "wet" speech made by the gentleman from New York, so ingenuously made on the floor, in spite of the "wet" leadership of the gentleman from Maryland [Mr. HILL], who is trying to break into the United States Senate on the wet issue, in spite of these "wet" face-the-facts banquets that they hold, in spite of it all, you will see coming back here from the primaries and the election in November a House and Senate dryer than it has ever been before. [Applause.]

You "wets" are thoroughly organized in this House. You are carrying on a studied campaign here to modify the Volstead law, and get light wines and beer, in spite of the Constitution. You put your men up here almost daily on this floor to criticize the law, and to make it unpopular. You are hoping to influence the voters back home. You are hoping to influence the election of "wet" men in this Congress. But you will fail. There are enough of us prohibitionists in this House willing to make the sacrifice to sit here all the time, and answer every "wet" speech that is made on this floor. There will be a MURPHY for every GALLIVAN. There will be an UPshaw for every TINKHAM. There will be a COOPER of Ohio

for every SCHAFER. There will be a HUDSON for every CELLER. There will be a CRAMTON for every GRIFFIN. There will be a BARKLEY for every HILL. So let this talkfest go on. If you "wet" gentlemen have to be outtalked to stop you, then you have matched your fight, and let the talking commence.

While I am a prohibitionist, and preach it, and practice it, and live it, and am not narrow-minded on the subject, I am not so hidebound that I can not see the faults with which some prohibitionists are afflicted, and I am not so hidebound that I can not see the virtues which Providence has so abundantly bestowed upon many "wets."

I sit here with the wets. I like every one of them; they are bully good fellows. The gentleman for Maryland [Mr. HILL] and I vote together many times. I vote with the gentleman from New York [Mr. LA GUARDIA] many times. And on some economic questions I even follow the gentleman from New York [Mr. CELLER], and my friend on the committee [Mr. GRIFFIN] on many occasions. Outside of prohibition they all have good judgment.

Mr. CELLER. Is it because they drink a glass once in a while?

Mr. BLANTON. I am sure if he drinks at all, the gentleman from New York takes more drinks than I, for I never took one in my life. Yet, apparently he is always as sober as I am. But he lives in an atmosphere that makes him think like he does. If I had been born and raised and reared and came up through the same atmosphere, I should probably be making the same kind of speeches that he is, and citing the straw polls in the Denver Post, and the Washington Post. Perhaps I might even go to Denver, as he did, and ask the first policeman I met if he knew where I could get a drink, and after he told me, I would say, "I don't want it, I was just asking for information" [laughter], as he did.

Perhaps I am not any better off than my friend from New York, but that is a matter of opinion. That is a matter of viewpoint, but the people of the United States must not be misled by these wet speeches that are so often and frequently and periodically made on the floor. What is it all for? Hearst's papers first said that the President of the United States was going to try prohibition one more year and if it fell down he was going to quit trying to enforce it. Hearst's newspapers the other day said that Colonel Andrews, at the head of the prohibition unit, was going to try it out for six months, and if he could not enforce it, he was going to resign. Well, if he resigns, we may get somebody even better to enforce the laws than Mr. Andrews, but there will be somebody to enforce them.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In a moment.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Will the gentleman from New York [Mr. GRIFFIN] yield me one minute in which to yield to the gentleman from New York [Mr. CELLER]?

Mr. GRIFFIN. Mr. Chairman, I yield one minute more to the gentleman from Texas.

Mr. BLANTON. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, I think it might be well for the gentleman from Texas [Mr. BLANTON] to go back two years and read the issues of all of the Hearst papers. He will find in truth and in fact that the Hearst papers have always been consistently dry and in favor of prohibition.

Mr. BLANTON. No real, posted prohibitionist will agree to that. Oh, will anybody in New York vote as Hearst tells them to? He has lost every campaign that he has ever run in New York. That is because the people of New York have not confidence in him.

Mr. CELLER. But that is beside the question.

Mr. BLANTON. Whenever the Hearst papers come out for a candidate in New York his name is Dennis before he ever gets started. New York people do not believe in him, and we posted prohibitionists do not believe in him.

Mr. CELLER. But I want the gentleman to be clear on the attitude of the Hearst papers in respect to prohibition. They have always been for prohibition and against anybody that was wet.

Mr. BLANTON. The gentleman, being a wet, has that idea, and I, being a dry, have the contrary idea. Hearst's papers just now are doing everything possible to break down the law and to nullify the Constitution. But, as usual, he will fail.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. GRIFFIN. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. JONES]. [Applause.]

Mr. JONES. Mr. Chairman, within the past three weeks the gentleman from Massachusetts [Mr. UNDERHILL] has made

two extended speeches in opposition to Philippine independence. My relations with Mr. UNDERHILL have always been the most friendly and I also have quite an admiration for his ability, his facility for expressing himself clearly, and his courage in stating his convictions on public matters. I freely concede to him the right to his opinion. Naturally, I claim the same privilege for myself.

It seems to me that his speeches are a strange mingling of logic and sophistry, and that some of his conclusions are rather remarkable. He claims, if I read his speeches aright, that the Philippines are not worth much to us, and yet he wants to keep them. He says that it would tend to promote peace, and yet admits that if war should come they would be a military liability and that it would be next to impossible to defend them. Then he makes this remarkable statement:

My view is that as long as the United States has control in the Philippines and has its Government in the Philippines, that it is a guaranty of peace in the Far East, but the moment we give up our jurisdiction over there we invite war not only for ourselves but practically for all the nations of the world.

If that statement is true, we should permanently retain the islands, and if I thought that position a correct one I should certainly oppose independence either now or in the future, but in undertaking to defend this position I think the gentleman's logic breaks down utterly.

On August 13, 1898, the American forces captured the city of Manila. Spain had exercised authority over those far eastern islands for more than 300 years. Her emblem now gave way and the American flag went up for the first time on oriental soil.

This presented a new problem in American political and economic life. The islands were on our hands. The question was what to do with them.

It is axiomatic to say that there are but two courses open in our policy toward the Philippines—either to grant independence or to hold the islands permanently. On the question of independence, that may be granted immediately or we may pursue our present declared policy of our intention of granting independence when the Philippines are capable of self-government, or we may declare our intention to grant independence at the end of a specified period. If we do not intend to grant independence at all, we should say so in outright fashion; but I can not conceive of this course being taken, in view of the declared purposes of our Government.

The statements made by the gentleman from Kentucky a few days ago, quoting the various Presidents and others in authority since 1899, some of which I have quoted heretofore, and the quotations made by Mr. RAGON in his report some two years ago, prove conclusively that we morally obligated and bound this Government to grant independence at some time in the Philippine Islands. No other course is open to us. Our good faith has never been questioned, our national word has never been broken, and, in my judgment, we can not afford to consider any other kind of a policy. This being true, regardless of what any man's views may be with reference to the capability of the Filipinos to govern themselves at this time, our whole policy in the islands should be laid out with the end in view of endeavoring to qualify them for independence, with the purpose of granting it as soon as those requirements are met.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. KINCHELOE. Has not the gentleman the same idea that I have regarding the fairness of Governor Wood toward the Philippine people, based on a statement he made at the conference we had with him before our departure, when the last question I asked of him was, "General, I understand from you that it does not make any difference how well qualified the Filipinos may be in the future for independence, you believe from the economic standpoint that they ought never to have their independence?" And he answered, "Yes."

Mr. JONES. Yes. I recall General Wood making that statement, in substance.

Believing, as I do, these to be the facts, I do not believe that General Wood is a proper man for Governor General of the Philippine Islands for two reasons, both of which I regard as good and sufficient. In the first place, General Wood has stated in an authorized interview, which was placed in the Record by the gentleman from New York [Mr. BACON], that he believes that the United States Government should retain the islands permanently, both from a military and a commercial standpoint. Governor Wood has not hesitated to express this opinion in positive and unmistakable language on several occasions. I admire him for his frankness, but I also assert that that very statement and those views render it very difficult for

him to shape his policy looking toward any other end than the permanent retention of the Philippine Islands.

About the declared policy of the United States Government there can be no doubt, and it seems to me that it is altogether fitting and proper that a man should be Governor General of the Philippines who is in sympathy with their aspirations to qualify themselves for independent government and who will shape his policy and govern his conduct in such a way as to accomplish that end.

It is very difficult for any man, much less a man who has spent his life in the military service, to believe as strongly as General Wood does that one thing should be done, and yet to conduct a position of authority so as to accomplish an end that is diametrically opposed to his very deep convictions.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. JONES. I will.

Mr. CONNALLY of Texas. Did the gentleman say that the cause of that particular situation is the fact that the Governor General is a soldier and accustomed—

Mr. JONES. In reply I want to say that I do not believe it is a wise policy to have any military man at the head of any civil government, and in doing so I do not criticize the officers of the Army or the military service. They are an essential part of the Government, but they should be an arm of the Government and not the Government itself.

In all the history of the world I know of no military man who has commanded supreme authority over a nation who did not have a tendency or a desire to subordinate civil government to military purposes, or at least to exaggerate the importance of the military. An army is essential to the maintenance of a free government or any other kind of a government, but it should be under control of the civil authorities, to be governed by the civil authorities, not as an end in itself, not for the purposes of military glory but as a means whenever necessary of protecting the civil government in the exercise of its essential functions.

Mr. LA GUARDIA. Mr. Chairman, will the gentleman yield right there?

Mr. JONES. Yes.

Mr. LA GUARDIA. Assuming that the government of General Wood or the administration of any governor is perfect, that is not a test in considering or deciding a matter of independence for the islands?

Mr. JONES. Certainly not.

Mr. HUDSON. Will the gentleman yield?

Mr. JONES. Yes.

Mr. HUDSON. The gentleman spoke in criticism of General Wood's administration in the Philippines. Has the gentleman any criticism of his administration of Cuba? Has it not been consistently shown that wherever he had been the administrator, whether in Cuba or in the Philippines, there has been a great development and a progressive development?

Mr. JONES. I am not especially familiar with his conduct of Cuban affairs, but I have been informed that he had some friction there. He is a man of ability, and no doubt has done some valuable work wherever he has been.

Mr. HUDSON. The gentleman wants to be fair?

Mr. JONES. I will say this for him: He has done some very valuable things in the Philippines, and I presume he did some very valuable things in Cuba; but if the gentleman will get the CONGRESSIONAL RECORD—I have the date somewhere here in my papers—he will find very severe criticism of his conduct of Cuban affairs put in the RECORD by a gentleman whom I did not have the honor of knowing personally, a gentleman by the name of Hayes, in commenting on General Wood's conduct of affairs in Cuba. I just want to say I am not as familiar with affairs there as I am with the affairs in the Philippine Islands, but I do know there was much in the papers at that time as to conflicts, troubles, and disagreement. Whether or not he is to blame for that I will not undertake to say, because I am not going to be sidetracked on a question far afield from that which I am discussing.

Mr. HUDSON. Will the gentleman yield for one more question?

Mr. JONES. I will.

Mr. HUDSON. Is it not a fact that the conditions in the Philippines are constantly improving to-day, even as to some of the things which the gentleman criticized? Is it not a fact that as a whole there is a constant improvement?

Mr. JONES. I hope there is a constant improvement; I think there should be. I think there has been since the time the Americans took charge of the islands, but I am afraid there is less progress being made now and less harmony than there has been at some other times since the inauguration of our activities there.

In making these remarks I am not reflecting upon General Wood. I think he is a fine character, and I have no doubt a man of good impulses and the best intentions, but I do claim for these two reasons, first, that his life training has in large measure disqualified him for civil authority, and because his deep-seated convictions are for a permanent retention of the islands, and therefore, contrary to the frequently expressed purpose of the American Government, he is not the man to be Governor General of the Philippine Islands.

The gentleman from Massachusetts mentions General Wood's efforts in connection with the leper colony. I honor and admire the General for his work in this matter, which I assume is in accordance with the description of the gentleman from Massachusetts. It is a great and commendable work. In this connection I also want to add that I agree with the gentleman from Massachusetts that we should support General Wood or any other official in carrying out the legitimate purposes of government. I have no doubt the American people will back him in any reasonable action he may take. However, the right to criticize freely the public action of any official, or any policy of government, is a fundamental right and is conducive to better government. I do not blame General Wood for his views with reference to the Philippines. I blame those who keep him in authority when his views are so manifestly out of harmony with the well-defined position of our Government toward the Philippines.

I observe in the speech of the gentleman from Massachusetts he says—

the Philippines are no more fit at the present time for self-government than an equal number of children.

In a deadly parallel with this I want to insert this statement from the Wood-Forbes report, which was made after a thorough investigation of the conditions in the Philippine Islands. That report contains the following language:

No people under the friendly tutelage of another have made so great a progress in so short a time.

I also want to quote from the late President Harding, who said:

The progress [of the Filipinos] is without parallel anywhere in the world.

During last summer I spent several days in the Philippines. While I did not have great opportunity for extended study, I took occasion on several different days to go far into the country and to mix and mingle as far as possible with the Filipino people. My impressions are not in accord with many of the conclusions reached by the gentleman from Massachusetts.

The question of whether the Filipinos are just now capable of self-government may be a debatable one. In all the circumstances, I would favor the granting of independence, but the question of whether that independence should be granted now or whether it should be deferred for a period of years, or for an indefinite time, is a legitimate field for debate. However, in view of the expressed intention of the United States, and in view of our course of conduct ever since we have been in control of the islands, the question of the permanent retention, contrary to the wishes of the Filipinos themselves, has passed beyond the realm of discussion, and no man who favors the permanent retention of the islands in these circumstances, is, in my judgment, a proper man to be at the head of our affairs in those islands.

Much has been said during recent years about the peculiarities of the Filipino people; about their mixed blood; about their numerous tribes and dialects; about their head hunters, who are few and who are such now in name only.

These peculiarities form an interesting basis for discussion. Of course, they are different; they live in the Orient, we in the Occident. It is natural for anyone to exaggerate the peculiarities of other people and to forget the whims of oneself. Naturally we have read and heard much of the peculiarities of these people, but this is not typical any more than some flapper in a one-piece bathing suit at Atlantic City is typical of American womanhood, or a member of an Indian tribe is typical of American manhood. News stories call for the unusual, and a native clad in a breech clout or a G string has a hundred times more chance to be pictured in a magazine than the mayor of Manila, who is an educated and cultured man.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. JONES. Yes.

Mr. JOHNSON of Texas. I would like to ask the gentleman, in view of his trip to the Philippines last summer, if it was not the universal verdict of all that as a race they were very much devoted to the cause of education and that there was

no race of people striving harder to secure an education and were succeeding more successfully than they?

Mr. JONES. I think that is very true, and I want to say this in that connection: The only criticism I heard them make of General Wood was that they did not believe he was in sympathy with their desire for ultimate independence. They all said they wanted their independence, but were perfectly willing to trust the good faith of America so long as America did not seek to take a backward step and did not seek to turn the Philippines over to those who wanted to exploit the islands and keep them permanently. That is their position.

There are more than 1,000 schools in the Philippines and more than a million children in school. English is the language of all these schools. Parents will make any kind of a sacrifice in order to give their children an education. Go into the lobbies of the hotels and you will see the elevator boy with his school book in his pocket, learning. You can not stop that kind of a people. One who lives in that atmosphere of mighty earnestness has read history to little purpose if he fails to see in it the finger of destiny. The dominant note just now is political independence; and what a subject for poet and orator. The finest oratory that ever fell from the lips of man has been inspired by the love of liberty. There is no other such appeal to the human emotions. All that is finest in the world's literature has been built around that word. Can America, with her own wealth of sentiment, of song, and of story, permit herself to run counter to this stream of human experience?

Many reasons are assigned for our keeping the Philippines, but when they are finally analyzed and sifted down they amount in almost all instances to the proposition that we should keep them because we need their products, especially their rubber products, of which there is a shortage in this country.

I fight with a great many Americans in the Philippines, with American business men, with Americans who had interests there, with General Wood, and with various other officials, and the thing that was always emphasized most was the commercial value of the Philippines to ourselves, and that was the reason that was finally assigned for keeping them. What a strange and cruel philosophy! What difference does it make that a great people are being deprived of the right to manage their own affairs; what difference if America's plighted word is to be broken? We must have rubber; we must ride on cushioned air. That is the same philosophy in a little more refined form but the same philosophy that the cave man used when with his crooked stick he destroyed his neighbor because he wanted his possessions. That is the doctrine that might makes right in all its stark nakedness. No great nation has ever yet adopted such a policy for its permanent course of action and remained great. I do not believe any nation ever can.

I am surprised at some of those who have stated this proposition, and I think they have done so without reasoning out the full results of such a policy. Many of them are too able and too fair in their general views to advocate such a course, and it evidences either a hurried consideration and hastened conclusion or that they have not had the matter called to their attention in its true light.

All of America's greatness and prestige have been built up on her fairness and justice to all, on her keeping her obligations and not treating them as "scraps of paper"; her past is founded on a practice of those virtues; her future is dependent upon her remaining true to such traditions.

Even from the standpoint of commerce I think the value of the Philippines to this country has been greatly exaggerated. I feel sure that even if we regarded rubber as a paramount matter there would be no trouble in securing the free exchange of that commodity, the right to bring it into this country without paying an export tax when it leaves the Philippines, and the privilege of engaging in its production in those islands in a fair and unhindered way.

Mr. BLANTON. Will the gentleman yield?

Mr. JONES. Yes.

Mr. BLANTON. The gentleman from Massachusetts stated that if the United States granted independence it would surely involve us in a great war. I want to ask my colleague if just the opposite is not true. As long as we maintain our domination over the Philippines we are going to maintain our flag no matter how much it costs in man power or money. Is not that true?

Mr. JONES. I think that is very true.

Mr. BLANTON. And if we continue to hold these people against their will we are more apt to be involved in a war some day than if we were to grant them their independence?

Mr. JONES. Undoubtedly.

Mr. RAGON. Will the gentleman yield?

Mr. JONES. Yes.

Mr. RAGON. The gentleman from Texas [Mr. BLANTON] suggested that we would protect our flag in the Philippines regardless of the amount of man power and money involved. I want to ask the gentleman if he thinks, since the disarmament conference treaty was signed in Washington, we have enough money and man power to keep the Philippines and protect the American flag against Great Britain or Japan.

Mr. JONES. Well, that would be a difficult question to answer. I would not want to ever admit that anybody anywhere in the world and under any circumstances could whip the United States. [Applause.] But I do want to say this to the gentleman, that it would be a very difficult proposition if a great power attacked us.

My main reason for favoring the granting of Philippine independence is from the standpoint of America. An American I was born, as such I shall live, and an American I expect to die. This, therefore, is my natural viewpoint. Everyone who has studied the question for a moment must admit that the Philippines are our weakest point. Any nation in the Orient which might attack us would naturally attack us at that point. Of course, they would strike us at the place they considered weakest. If they captured the Philippines that would put us in the attitude either of sending an army twice as far as we sent it in the World War, or of losing the war. If we sent them, we would have a battle line 6,000 miles long, subject to flank attack all along the line. Thus the war not only would be tremendously expensive but would necessarily entail great loss of life. From almost every angle, therefore, it would seem to me that the Philippines are a liability rather than an asset.

And I want to add that I would not have made this speech but for the fact that there has been considerable agitation of late to take away some of the powers of government now exercised by the Philippine people. Against such a backward step I want to protest.

Immediate independence may or may not be wise. It is possible that the Filipino people would be better off if that event were deferred a few years. No one can know of a certainty. But any backward step might be misunderstood. The deep conviction that no such step should be taken and that our country should take no action that will give these people any ground to doubt our absolute good faith is the occasion of these remarks.

Mr. RAGON. I think I have as much pride in America's fighting force as anybody. I would like to call the gentleman's attention to this fact, that under the disarmament treaty that was signed in Washington, Japan and England insisted that America's fortifications beyond the Hawaiian Islands were to remain in statu quo. Now, they defined in that treaty what status quo meant, namely, that we should not increase the power of the naval base in the Philippine Islands or in Guam and that we should not increase the strength of the fortifications in either one of those places.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GRIFFIN. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. RAGON. Then, under that agreement, Great Britain was permitted to fortify Singapore, and that agreement permitted an increase in the naval forces of Japan. Now, England is within 30 hours of the Philippine Islands, while we are within 10,000 miles of them; Japan is even closer than England—I mean England's possessions over there—and before the Senate committee Admiral Jones stated that by a major operation Japan could take the Philippine Islands and we could not prevent Japan from doing so.

Mr. JONES. Whether that be true or not, there is no question about the fact that England maintained all of her rights at the disarmament conference, and she is in a position to very strongly protect her rights.

Our natural outpost of defense is Hawaii. These islands are a comparatively short distance from American shores. They are naturally suited to fortifications, and by fortifying them we could say to all the nations of the Orient, "You can not, in armed hostility, pass this way." Of course, no one wants a war. We do not expect a war in the near future, but no one, however intelligent, can fortell the future to a certainty, and so long as conditions remain as they are, all nations must make some preparation for national defense. From the standpoint of America, therefore, I consider the Philippines a military liability.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. JONES. Yes.

Mr. VINSON of Kentucky. I would be interested to know the gentleman's judgment relative to whether the Philippine Islands are actually coveted by any other nation.

Mr. JONES. Of course, there are a great many nations that covet all the territory they can get. I do not think there is any immediate danger, and so far as conditions exist now, I do not think there would be any great likelihood of any other nation attacking the Philippines if we granted independence. It is probable that if any nation were disposed to invade the islands, other nations interested, not for the purpose primarily of protecting the Philippines, but in protecting their own interests, would protest.

Mr. VINSON of Kentucky. I have also heard very distinguished gentlemen on this floor say that climatic conditions would prohibit.

Mr. JONES. I was just going to mention the climatic conditions.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GRIFFIN. Mr. Chairman, I yield the gentleman two more minutes.

Mr. JONES. The Japanese have free entry into the Philippine Islands and at one time the Japanese population in the islands numbered some 15,000. The 15,000 have dwindled now to about 5,000 because, apparently, the climatic conditions are such they do not like to live there or do not thrive there.

Mr. VINSON of Kentucky. When was that?

Mr. JONES. That was right after the war. The number dwindled from 15,000 to 5,000, according to statements which came to us and which, I believe, General Wood confirmed.

Every impartial student must admit that America has done wonderful things for the Philippine Islands. Our Nation has done more for them than any other nation; yes, than all other nations combined, and the Filipino leaders, recognizing this, express their frank appreciation and their admiration for America. There can be no doubt, however, that the Filipinos themselves want independence; that is, a vast majority of them do. No political candidate of either party for years has taken any other position. Nearly 1,000,000 men voted in the last election, so that almost as large a percentage of their qualified electors voted in that election as voted in our last national election. There can be no doubt, therefore, of the attitude of the Philippines toward this question. In my mind, American interests would also be best subserved by granting them this independence. It is in accord with our own faith and practices. Any other attitude or position, especially an attitude of permanent retention of the islands as colonial possessions, would be contrary to our own philosophy of government.

One hundred and fifty years ago a band of Americans met in the city of Philadelphia and gave to the world one of its immortal documents, the Declaration of Independence. One of its cardinal principles is that governments derive their just powers from the consent of the governed. About two years ago the original of this instrument was placed on exhibition in the Library of Congress, where every citizen who comes to Washington may look upon it. I am glad that this step was taken, for it is a good thing that the original instrument, the ink with which and the parchment upon which were written these great principles, should be preserved for the inspiration of future generations. I pity the man who calls himself an American who does not get a thrill when he looks upon it. But important as it is to retain the material elements of this instrument, a far more important thing is to preserve in the thoughts, in the ideals, in the lives, and in the activities of the American people the principles embodied in that great document.

True to the principle of the consent of the governed we have grown from simple beginnings to the proud heritage of freedom and power. It has been our philosophy of government. True to that principle we may remain great, but empire building on the basis of colonial or foreign possessions is contrary to that philosophy and can not permanently live in the same atmosphere or under the same flag.

Mr. FUNK. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. WHITE]. [Applause.]

Mr. WHITE of Kansas. Mr. Chairman and gentlemen of the committee, on last Saturday there was held in the city of New York, in Carnegie Hall, a national glee club contest; not the first that has been held in this country but the first contest of the kind in which an organization as far west as Kansas participated.

Mr. Chairman and gentlemen, there are in the city of Washington about 35 members of that organization looking over this great city, exercising their great interest in the capital of their country, viewing its public buildings, its parks, and its many places of great interest.

It is to me a matter of satisfaction and pride that in this competition, the first in which a Kansas organization ever participated, the Kansas organization stood third. There were 15 similar organizations from our universities participating in

New York City last Saturday night. I am further pleased, and I take this opportunity to say that among the number is Leroy Reynolds, a son of a good neighbor, an humble boy, a student of our public schools and of the high school, graduating this year from the University of Kansas. We are very proud, as Kansans, of these students of the University of the State of Kansas, coming from the States of Oklahoma, Nebraska, Colorado, and from our own State.

About 20 members of this organization are now in the gallery and I will ask them to rise, and I will be very glad to have you welcome them. [Applause.] I thank you, gentlemen.

Mr. GRIFFIN. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. TYDINGS].

Mr. TYDINGS. Mr. Chairman, since I have been a Member of Congress I have not asked for very much time, and I have listened a great deal to discussions about the prohibition question. It has occurred to me that the position taken by those who favor national prohibition is not only untenable, but in direct conflict with the principles on which this country is founded. The proponents of prohibition always say that any man who does not believe in its wisdom as being the best solution of this important question, who sees fit to rise on his feet and petition his Government and ask for a change in the law, is not a law-abiding American citizen. Speaking in my individual right as a citizen and on behalf of a great many of the people of Maryland and this Nation, I demand the right to tell the Congress of the United States about any particular provision, constitutional amendment or otherwise, which I believe is not for the best interests of myself, my State, or of our country. We do not consider such a protest against a change in any law or proposed law a crime. The Constitution gives us a right to peaceably assemble and petition Congress for a redress of such grievances or hurtful laws as we may feel we have. A citizen always has the right to advocate any change he deems wise in either the Constitution or its laws. Such a right has never heretofore been called in question. What kind of a government would there be if once a proposition were adopted and found to be bad and no one could dare to move for a change in it? The sophistry of such dictum is apparent. Our Constitution provides that the people have the right to amend and alter it at their pleasure.

Why should a man who does not believe in the philosophy of national prohibition be called un-American and a nullificationist, a defamer of the Constitution, if he sincerely looks over the history of our country and deems that a particular amendment is obnoxious to the ideals of liberty and his conception of the purposes of government. And yet, every time anybody ventures to say a word about the prohibition amendment and the Volstead Act he is denounced as a bad citizen and an un-American citizen. Why, you can go to any legislature, if you do not like the time for the open season on squirrels and ask for a change in the time and you are not called un-American or unpatriotic if you ask the legislature to make a change for what you believe is for the best interests of your State. How many of those who believe in the philosophy of prohibition take the floor and because other men will not subscribe to the intolerable doctrine advanced by them call their opponents un-American.

But I want to take a new angle; I want to quote the Scriptures. I want to show you the un-Christian aspect of this very law. St. Paul says:

If righteousness shall come by the law, then Christ is dead in vain.

Ponder the wisdom of that remark.

If righteousness shall come by the law, then Christ is dead in vain.

Is not it logical, is not it good common sense that if people attain righteousness and goodness through force and the power of the Government that a religion of righteousness so obtained is not from the heart, not from the head, but is forced from the outside?

Mr. BLANTON. Will the gentleman yield?

Mr. TYDINGS. Yes.

Mr. BLANTON. Will the gentleman kindly give us the verse and chapter of that quotation?

Mr. TYDINGS. I thought the gentleman from Texas, being a great prohibitionist, would know all about the Bible. It is apparent that he does not know all about it when he tries to square prohibition and the Bible.

Mr. UPSHAW. Will the gentleman yield?

Mr. TYDINGS. Certainly.

Mr. UPSHAW. I will remind the gentleman that the Scripture he just quoted referred absolutely to the plan of personal salvation.

Mr. TYDINGS. The gentleman's own statement proves what I have just said. He said personal salvation. You have not

the spirit of the sacrifice of Christ on the cross, who died between two thieves, but you take the narrow, intolerant power of force. I resent any inhibition of my personal rights. I want my salvation to be voluntary and personal, for if it is forced on me it is no salvation at all—it is fake, valueless. So long as I am temperate in habits what right have you to lay down a code of morals for my personal conduct? If one gets drunk, if one offends the laws of his country and becomes a menace, you can interfere, but until one does one has the right to demand that the power of lawmaking does not invade every domain of purely private endeavor.

Mr. UPSHAW. The gentleman's doctrine would abrogate every law of God and man from Sinai to Washington.

Mr. TYDINGS. What law besides prohibition? Name one if you can.

Mr. UPSHAW. The law against stealing.

Mr. TYDINGS. Oh, the gentleman is as shiftless as the quicksands on which he stands. [Laughter.] Stealing is a crime against society, but when I go and get grapes and convert them into wine and take a temperate drink and handle the wine in a temperate way I do not offend society. The gentleman's own statement proves my argument again. Further, stealing is contrary to the ten commandments, but the temperate use of wine is not included in the Bible's prohibitions.

Mr. BLANTON. I will name one. What about the narcotic law?

Mr. TYDINGS. Well, what about it?

Mr. BLANTON. Does the gentleman claim that he has right to sell morphine and to administer it freely?

Mr. TYDINGS. I will say to the gentleman in answer to his question that if narcotics were used temperately and properly there would not be any necessity for a prohibition law against their use, and all I am arguing for is temperance as opposed to prohibition. Again the gentleman's answer proves my argument. You can not name one. I defy anybody in the House to name a single instance where the philosophy of Christ as written in the Bible is in conflict with the mass of criminal law.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. Yes.

Mr. GRIFFIN. I want, through the gentleman, to suggest a reply to the gentleman from Texas [Mr. BLANTON]. He refers to the antinarcotic law. Would it not be proper to ask him whether it would be reasonable to put an antinarcotic amendment in the Constitution of the United States?

Mr. TYDINGS. It would, according to his philosophy. He would remake our Constitution into a criminal code.

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. I have only three minutes. I gave the gentleman from Georgia three chances, and I thank him for proving my arguments; he has been my best witness to prove he is wrong, but I want to prove the rest of them myself. [Laughter.]

The main contention I make is that these proponents of national prohibition really say in effect that the people of my State have not the right to have the kind of laws in Maryland dealing not with national but with their own intimate life which they want to have. In other words, they set themselves up as superkings and deny the right of a voice in government to the people. If the people of my State want to vote dry, I have no quarrel with them. If they do not want prohibition and want another form of law dealing with this question, I say we have as much right over in that State as they have in the State of Georgia. We do not ask you in Georgia to adopt our system, and we do not want you to force your views upon us. That is good Democratic doctrine, and no Democrat can deny that the principle upon which that party is founded is to give the people the widest measure of local self-government.

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. I yield to the gentleman from Georgia.

Mr. UPSHAW. Will the gentleman contend that the eighteenth amendment, which closed every saloon in America, was not passed by due governmental process, and will the gentleman contend that his own State of Maryland has not refused to take her place by the side of her sister Commonwealth in supporting the Constitution?

Mr. TYDINGS. Oh, the gentleman is wrong again. In the first place, nobody but a blind man would say that prohibition has closed every saloon. Plenty of them are open, and they are open in Atlanta, Ga., as well as in any other place.

Mr. BLANTON. Suppose the people of Maryland wanted plural wives?

Mr. TYDINGS. Oh, do not let us suppose. Let us state conditions as they exist. Why suppose?

Mr. BLANTON. Does the gentleman approve of the Federal law that prevents plural wives in Utah?

Mr. TYDINGS. The gentleman from Texas, in order to maintain his position, is taking a rubber band, and he has stretched it and stretched it until it almost breaks and relies upon the fact that it is still rubber. [Laughter.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. TYDINGS. May I have five minutes more?

Mr. GRIFFIN. Mr. Chairman, I yield five minutes additional time to the gentleman.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. Yes; but this must be the last question. I would like to say something myself.

Mr. STRONG of Kansas. The gentleman objects to the Government control in his State, and the gentleman says that he would follow his State.

Mr. TYDINGS. Yes.

Mr. STRONG of Kansas. But suppose a county in the gentleman's State disagreed with the State?

Mr. TYDINGS. Oh, I would abide by it gladly. When I was in the legislature in my own State there were saloons in my home county, and I stood up and voted to give the people a chance to vote on whether they wanted saloons or not. I am not asking for saloons or for prohibition, I am asking that the people have a voice in their government, and to amend, alter, and change their government at their pleasure.

Mr. STRONG of Kansas. And the gentleman believes that the county should decide?

Mr. TYDINGS. I believe the State has the right to give the people of the State the kind of government the people of that State want in respect to their intimate lives, without any interference from Washington.

Mr. UPSHAW rose.

Mr. TYDINGS. Oh, one moment. I have only two minutes left. Very well, I yield to the gentleman.

Mr. UPSHAW. According to the gentleman's doctrine, he is in favor of his home town and city having liquor, Constitution or no Constitution?

Mr. TYDINGS. The gentleman is wrong again, and if he will sit down I will show him that he is just as intemperate in what he has said as he is about his advocacy of prohibition. I said not more than half a minute ago that when I was in the legislature liquor was sold in my home town and that I stood up and fought to give the people of my town an opportunity to vote on the liquor question, and that they had voted dry, and thereby I incurred the ill will of some of the liquor people. I am not arguing for liquor, I am not arguing for prohibition. I am arguing for the right of the people to have the kind of government they want without the gentleman's supervision and interference. Is it wrong to ask that the people have the kind of government they want or shall we admit they are incapable of it? What becomes of our country when we deny people the right to a voice in their affairs? Is a man wrong to contend for a people's government?

Mr. UPSHAW. Mr. Chairman, will the gentleman yield now?

Mr. TYDINGS. Yes; I yield now.

Mr. UPSHAW. Does the gentleman contend that the eighteenth amendment was not passed by due governmental process and is a mandate to each State?

Mr. TYDINGS. Yes. I say it was passed that way because there were 4,000,000 men denied the right to vote; they were under arms, at war, and I was one. It was passed while I was in France, and I do not surrender my personal right without wanting to have a voice in a matter.

Mr. UPSHAW. I remind the gentleman that the Sixty-fifth Congress that passed the eighteenth amendment was elected before a single soldier went to France. Now, come on.

Mr. TYDINGS. Well, I was in the Army April 6, 1917. But the question was not submitted to the legislatures until millions of soldiers were in France. It was not done by my voice; I was in France.

Mr. UPSHAW. It was submitted to the gentleman's legislature.

Mr. TYDINGS. Whether it passed regularly or irregularly is not the question. The question is that the gentleman from Georgia would say to the people of Maryland that Marylanders have not the right to have the kind of government in their State which our people want to have in a purely personal matter. There is not an ounce of temperance in him in his stand, he is for prohibition, he has no tolerance, he wants to dry up everybody. He is not a temperance advocate, he is a prohibitionist.

Mr. UPSHAW. Amen.

Mr. TYDINGS. And every drop of liquor, even though used temperately, makes his blood run cold and puts the fires of a furnace in his heart. [Laughter and applause.]

Mr. OLIVER of New York. Will the gentleman yield?

Mr. TYDINGS. I will.

Mr. OLIVER of New York. I want to ask the gentleman if it is not true that the Constitution gives concurrent power to a State and that the Volstead Act destroys that concurrent power?

Mr. TYDINGS. I am glad the gentleman made mention of that. Thank God we have men and women in Maryland with principles and beliefs founded upon sincerity and not upon slush. We do not scrap our beliefs and give way to clap-trap patriotism that has no real sustenance in it.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. TYDINGS. I will.

Mr. STRONG of Kansas. Did not the gentleman just state that he went against the wishes of his own town in not giving them control?

Mr. TYDINGS. No; the gentleman is again stretching the rubber band. I did not say I went against the wishes of the town. I granted them the right to vote on the question which the gentleman from Kansas now denies them, the people, and yet this is supposed to be a Government of the people. I say I granted them the right to vote, and that is what you will not give to them.

Mr. STRONG of Kansas. I will be glad to give it—

Mr. TYDINGS. No; the gentleman will not.

Mr. STRONG of Kansas. It would be sustained overwhelmingly.

Mr. TYDINGS. No; the gentleman will not, has not given them this right.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GRIFFIN. I will yield the gentleman five additional minutes.

Mr. UPSHAW. Will the gentleman yield?

Mr. TYDINGS. I will.

Mr. UPSHAW. I remind the gentleman that his own State of Maryland voted to ratify the eighteenth amendment.

Mr. TYDINGS. And the man who went to the legislature from my county ran against me for the senate on a platform that was dry, and I came out for State rights, for the right of the people to vote on this matter, and I defeated him over 3 to 1. What does the gentleman think of that? [Applause.]

Mr. UPSHAW. I call the attention of the gentleman to the fact that his own State did ratify the eighteenth amendment. What do you think of that?

Mr. TYDINGS. I call your attention to the fact that after they did so the people sent to the legislature that year over the protests of such representatives of prohibition as the gentleman from Georgia, men who would not vote to embrace the iniquity of a State Volstead Act. What do you think of that? [Laughter.]

Mr. UPSHAW. I say to the gentleman that evidently he wants to secede from the Union.

Mr. BANKHEAD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. I simply desire to call the attention of the disputants here on the floor and to the Chair to the fact that these gentlemen are rather vehemently violating the rules of the House which compel the gentlemen to refer to each other as the gentleman from Maryland or the gentleman from Georgia.

The CHAIRMAN. The point of order is well taken.

Mr. TYDINGS. I accept that; I am sorry we were intemperate for a moment, but when you associate with prohibitionists who are perhaps intemperate people you absorb the atmosphere, as the gentleman from Texas said a while ago.

Mr. BLANTON. The gentleman from Maryland is the most sensible wet that I have heard for a long time.

Mr. TYDINGS. I thank the gentleman; I believe that myself. I wish he would come over to good sense with me. [Laughter.]

Mr. OLIVER of New York. Will the gentleman yield?

Mr. TYDINGS. I will.

Mr. OLIVER of New York. Does not the gentleman think the Volstead Act has really nullified the powers of the States to interpret the Constitution and that the Volstead Act and nullification power ought to be discussed?

Mr. TYDINGS. I would say to the gentleman from Georgia that if every representative in our State had known the eighteenth amendment would have been followed by the passage of such a notorious, unsound, illogical, senseless act as the Volstead Act, I will say in all sincerity my people would probably not have voted for it.

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. Yes.

Mr. UPSHAW. Has not the constitutionality of the Volstead Act as a supporting statute to the eighteenth amendment been sustained by the Supreme Court of the United States?

Mr. TYDINGS. Oh, I am not trying to hurt my fellow men; I do not want to be a hurtful influence or to injure proper government. I want to teach the way of Christ by the example of Christ. I am asking you to follow God's plan. You can not improve on it. What did St. Paul say? He said:

If righteousness shall come by the law, then Christ died in vain.

What you want to do is to do away with what St. Paul said and set up man's plan for God's plan. [Applause.]

Mr. UPSHAW. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. Yes.

Mr. UPSHAW. I remind the gentleman that in the temptation on the mount, the devil himself quoted Scripture to prove his point.

Mr. TYDINGS. And I have heard a lot of prohibitionists inspired by the devil do the same thing to maintain their point. [Laughter.] The trouble with prohibition is that it has no real milk of human kindness in it; it has no soul. The bayonet is back of that kind of religion. True religion teaches tolerance and refinement and kindness, and these are all absent and foreign from the religion of prohibition. Why abandon temperance for prohibition? Why not look rationally at this matter. What is the harm in my making a mint julep and having two or three fellows go out under the trees with me on a hot summer's afternoon and in a temperate way, sipping mint juleps? If that is sin, then hades is not so bad. [Laughter.] But I can not see any sin in that. I can see no evil in temperance. The trouble with the prohibitionist is that he is not a member of an Anti-Saloon League, not for temperance, but he wants a total abstinence league. However, the question here is, Shall the people or a few rulers dictate the kind of government we shall have?

Mr. UPSHAW. Did the gentleman ever make a fight against the saloon in Maryland?

Mr. TYDINGS. Did not I just tell you that I voted to give the people a vote on the liquor question in our legislature? I have always stood for the right of the people to vote in each State whether the condition was wet or dry at the time of the vote. Why will you not let them vote now, the people? [Applause.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. GRIFFIN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. CONNALLY of Texas. Mr. Chairman, the gentleman from Kansas [Mr. SPROUL], in the course of some remarks on the history of the Constitution and the fundamentals earlier in the day, was discussing the part that Mr. Hamilton had in the formation of the Constitution. I asked the gentleman if he was aware of the fact that Mr. Hamilton took very little part in the convention which framed the Constitution, and if his chief service to the Constitution was not in helping to secure its adoption after the convention had submitted it; and a great number of Republicans on the other side, after showing agonized expressions and a revulsion of feeling at that suggestion on my part, by their actions vigorously denied that such a state of facts occurred.

I hold in my hand a volume entitled "American Statesmen: Alexander Hamilton," by Henry Cabot Lodge.

Now, the name of Henry Cabot Lodge at one time had some strength and considerable potency and was entitled to some consideration in Republican councils, and I want to ask the Clerk to read some extracts from his biography of Alexander Hamilton in regard to the convention. I do not detract anything from Mr. Hamilton. Mr. Hamilton was a great man and a great American. He rendered great service to this country in its formative days. He rendered an inestimable service, as is shown by that remarkable series of papers entitled "The Federalist," which greatly aided in the adoption of the Constitution of the United States. But there is no occasion to attribute to him qualities that he did not possess nor attribute to him accomplishments which he did not perform to prove his greatness. The truth of history ought to be preserved. I am asking the Clerk to read in my time an extract from Lodge's Life of Alexander Hamilton.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read, as follows:

The convention which he had urged had met, he was himself a member, and yet he still stood alone, master only of his own per-

sonal influence. In the decision of the momentous questions he was helpless, for the vote of New York was in the hands of his enemies and sure to be cast against him on every occasion. To have contested every position with his colleagues, and at every trial to have voted against his State, would only have impaired his standing and injured his cause. He therefore prudently refrained from the useless and unequal conflict, took comparatively little part in the debates on details of the Constitution, and was absent a large part of the time from the convention. In conversation with the members he could persuade and counsel, and this he did; but he wisely decided to concentrate all his force in debate in one speech. For this purpose he selected at the beginning of the convention, after the various plans had been submitted, the general theme of a new government. Completely master of his subject, filled with a deep conviction of the solemnity of the occasion, he delivered a speech occupying five or six hours, described by Gouverneur Morris as the ablest and most impressive he ever heard, and embodying all the accumulated reflections of years. The brief remains to us, and in that bare outline can be readily traced the range and variety of the speech. He spoke of the gravity of the occasion, of the choice possible to the convention; he reviewed the whole science and theory of government, and, with an overflowing abundance of illustration, surveyed the entire domain of historic precedents; he showed our low condition, the evils of the existing system, and the resulting principles on which a new government should be founded. Delivered with all Hamilton's impressive energy, glowing with the ardor of the speaker, and expressed in language at once forcible and transparently clear, we may well believe that this speech had a profound effect.

In the course of his argument he read his own plan for the new Government, carefully worked out and perfected. This plan, which discloses the essence of his opinions on government, followed in a general way the English system, as did all others presented, including the one finally adopted. In after times Hamilton was severely reproached with having said that the British Government was the "best model in existence." In 1787 this was a mere truism. However much the men of that day differed, they were all agreed in despising and distrusting a priori constitutions and ideally perfect governments, fresh from the brains of visionary enthusiasts, such as sprang up rankly in the soil of the French Revolution. The convention of 1787 was composed of very able public men of the English-speaking race. They took the system of free government with which they had been familiar, improved it, adapted it to the circumstances with which they had to deal, and put it into successful operation. Hamilton's plan, then, like the others, was on the British model, and it did not differ essentially in details from that finally adopted, but it embodied two ideas which were its cardinal features and which went to the very heart of the whole matter. The republic of Hamilton was to be an aristocratic as distinguished from a democratic republic, and the power of the separate States was to be effectually crippled. The first object was attained by committing the choice of the President and Senators, who were to hold office during good behavior, to a class of the community qualified to vote by the possession of a certain amount of real property.

The second was secured by giving to the President of the United States the appointment of the governors of the various States, who were to have a veto on all State legislation. These provisions, as may be seen at a glance, involved the essential character of the Government, and although purely republican, came much nearer to the British model than any other by their recognition of classes and of the political rights of property, while by the treatment of the States a highly centralized National Government was to supersede entirely the confederate form. In the Congress of the confederation Hamilton had seen that all the difficulties arose from the too great power of the States, and further, as he believed, from the democratic form of their governments. With his usual bold decision, therefore, he struck at the root of the evils and struck hard. Many of the State-rights men in the convention dreaded too much democracy when applied to the people of the United States collectively, but they were far from approving the vigorous ideas of Hamilton. The majority of the members undoubtedly favored a democratic system in the Union, such as they were familiar with in their own States. Even those who believed with Hamilton, that in the best government there should be an infusion of aristocracy, had no disposition to risk what was then deemed the last chance for a respectable Union on a scheme which would be hopeless of acceptance. There can be no doubt that Hamilton, with his keen perception of existing facts, was perfectly aware that the leading principles of his plan stood no chance of adoption either by the people or the convention. The aim of his great speech and of his draft of a Constitution was to brace the minds of his fellow members and to stimulate them to taking higher ground than the majority of their constituents demanded. In this he succeeded. His eloquent reasoning, if it did not lead men to his own conclusions, at least raised their tone, enlightened many members and brought them to a more advanced ground than they were at first prepared to take. This was all of great importance, and to work for such results was, in Hamilton's isolated position, his wisest course.

His message once delivered, he waited and watched, aiding quietly and effectively whenever he could, but not attempting to thrust himself forward, fettered as he was by the action of his own State. His colleagues, however, abandoned the convention, and at the close Hamilton, not shrinking from the responsibility of representing alone a State where opinions adverse to his own prevailed, once more took part in the debates and affixed his name and that of New York to the Constitution. When the end was thus finally reached, he sprang once more to the front and gave free rein to all his activity and zeal. It was in this last decisive struggle, in securing the acceptance of the work of the convention, that Hamilton rendered his greatest services to the cause of the Constitution—services more important and more effective than those of any other one man at this last stage of what was in truth a great political revolution.

I have said that Hamilton had no expectation of the adoption of his own plan of government by the convention, but he none the less thoroughly believed in it. He thought it better and more enduring than the one actually adopted, and he never lost faith in its principles. Indeed, as the distrust of democracy disclosed in his plan by the proposition for an Executive and Senate to be chosen by a qualified suffrage grew and strengthened in the conflicts arising from the French Revolution, Hamilton's confidence in his own theory deepened, and his faith in the existing Constitution declined. But when the work was completed at Philadelphia, when he had put his name to the compromise which he had anticipated, and in which he rejoiced, he gave his loyal adherence to the new Constitution and the new system.

Mr. GARRETT of Tennessee. Will the gentleman from Texas yield?

Mr. CONNALLY of Texas. I yield.

Mr. GARRETT of Tennessee. It has been some time since I refreshed my recollection of the Madison papers, but unless I am very greatly in error an examination of them will show—and, by the way, the manuscript which Mr. Madison inserted was furnished by Mr. Hamilton—that Mr. Hamilton himself stated in the convention that he realized that his views did not accord with the views of the great majority of the convention and that, therefore, he was not in a position, entertaining the views he did, to exert any influence of any extensive character in making up the Constitution itself, and he did not try to do so. He only attended the convention upon rare occasions. It is true, however, as the gentleman has stated, that he was a tower of strength and to him, of course, was due the ratification of the Constitution by the State of New York.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GRIFFIN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. CONNALLY of Texas. I will say to the gentleman from Tennessee that my recollection is that his recollection is entirely correct. I have heretofore had occasion to review the proceedings of the Constitutional Convention and as I recall the details of it now, Mr. Hamilton appeared early in the session and made the address and submitted the plan just mentioned by the gentleman from Tennessee; he then absented himself from the convention and remained away during the major portion of its deliberations, returning to the convention along in its later days.

As has already been suggested by the gentleman from Tennessee and my earlier suggestions in reply to suggestions on that side of the House, I would not in any wise detract from the great services which Mr. Hamilton rendered with reference to the adoption of the Constitution; but even in that campaign Mr. Hamilton made no pretense that he was satisfied with the Constitution, but he took it because it was the best and nearest approach to that which he really desired. Mr. Lodge, in his concluding paragraph, says:

I have said that Hamilton had no expectation of the adoption of his own plan of government by the convention, but he none the less thoroughly believed in it.

That confirms what the gentleman from Tennessee has suggested, that Mr. Hamilton had no expectation that his plan would receive the serious consideration of the convention, and, as a matter of fact, the Hamilton plan was not taken up by the convention in detail.

Mr. Madison, in his diary of the Debates of the Philadelphia Convention, which framed the Federal Constitution, reports the speech of Mr. Hamilton, which was made on June 18, 1787. The speech was a long one. Mr. Madison, among other things, reports Mr. Hamilton as follows:

As to the Executive, it seemed to be admitted that no good one could be established on republican principles. Was not this giving up the merits of the question; for can there be a good government with-

out a good Executive? The English model was the only good one on this subject. The hereditary interest of the King was so interwoven with that of the nation, and his personal emolument so great, that he was placed above the danger of being corrupted from abroad, and at the same time was both sufficiently independent and sufficiently controlled to answer the purpose of the institution at home. One of the weak sides of republics was their being liable to foreign influence and corruption. Men of little character, acquiring great power, become easily the tools of intermeddling neighbors. Sweden was a striking instance. The French and English had each their parties during the late Revolution, which was effected by the predominant influence of the former. What is the inference from all these observations?

That we ought to go as far, in order to attain stability and permanency, as republican principles will admit. Let one branch of the legislature hold their places for life, or at least during good behavior. Let the Executive also be for life. He appealed to the feelings of the members present whether a term of seven years would induce the sacrifices of private affairs which an acceptance of public trust would require, so as to insure the services of the best citizens. On this plan we should have in the Senate a permanent will, a weighty interest, which would answer essential purposes.

Again, on September 6, 1787, Madison's notes read:

Mr. Hamilton said that he had been restrained from entering into the discussions by his dislike of the scheme of government in general; but as he meant to support the plan to be recommended as better than nothing, he wished in this place to offer a few remarks.

Again, on September 17, the day upon which the Constitution was finally signed, Mr. Madison says:

Mr. Hamilton expressed his anxiety that every member should sign. A few characters of consequence, by opposing or even refusing to sign the Constitution, might do infinite mischief by kindling the latent sparks that lurk under an enthusiasm in favor of the convention which may soon subside. No man's ideas were more remote from the plan than his own were known to be; but is it possible to deliberate between anarchy and convulsion on one side and the chance of good to be expected from the plan on the other?

It will be noted that after the Constitution had been placed in its final form, and though Mr. Hamilton urged that every member of the convention sign the document, he agreed to it not because he approved its provisions, but because it was an alternative to be adopted rather than anarchy. He said in Madison's language:

No man's ideas were more remote from the plan than his own were known to be.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. CONNALLY of Texas. May I have two additional minutes?

Mr. GRIFFIN. May I state that I had an understanding with the gentleman in control of the time on the other side that I would turn over the situation at 4 o'clock, but I ask the gentleman's indulgence, so that I may be permitted to grant the gentleman from Texas an additional three minutes.

Mr. GARRETT of Tennessee. May I call the attention of my friend from Texas to the fact that Mr. James M. Beck, until quite recently the Solicitor General of the United States, in a very interesting work upon the Constitution—"Yesterday, To-day, and To-morrow," I believe is the title of it—as the result of original research on his part, asserts substantially the same thing, simply in different language, that is asserted by the late Senator from Massachusetts, Mr. Lodge, and if the gentleman can get hold of it in time I would be glad if he would include that statement by Mr. Beck.

Mr. CONNALLY of Texas. I will say to the gentleman from Tennessee that I read that volume by Mr. Beck last summer. I sent over to the Library an hour ago for Mr. Beck's volume, so that I could read it in connection with Senator Lodge's volume, but the librarian reported that while they had two copies both were off the shelves. If I am able to obtain a copy of that volume I ask unanimous consent to insert that statement by Mr. Beck in connection with my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. In a recent, able, and interesting work entitled "Jefferson and Hamilton," by Claude G. Bowers, reference is made to Mr. Hamilton's connection with the convention and the plan which he submitted. It is there said:

But in the convention itself he played no such part as is popularly ascribed to him. After the presentation of his own plan in the early

stages, he played an inconspicuous part, and much of the time he was not only absent from the convention but out of the State. This was not because of indifference to the event, but to a realization that he could accomplish nothing for his plan. (For authority of the above statements, Mr. Bowers cites Fiske, 120; Lodge, 58.)

Again Mr. Bowers says:

This plan was a direct contradiction of that which was adopted. There is nothing conjectural about that fact—the records are indisputable. We have the plan, the brilliant 5-hour oration in its behalf, the brief from which he spoke. These have come down to us, not from his enemies, but from his partial biographers, his son the editor of his "Works," and the report of Madison on the authenticity of which he himself passed. This plan provided for the election of a President for life; for Senators for life or during good behavior, and by electors with a property qualification; and for the crushing of the sovereignty of States through the appointment by the President of governors with a life tenure and the power to veto any act of the State legislatures, though passed unanimously. Not only was the President enabled under this plan to negative any law enacted but he had the discretionary power to enforce or ignore any law existing. (As authority for the above statement, citation is made to the work of Mr. James M. Beck, p. 75.)

These are but condensed excerpts from a rather extended and detailed discussion of Hamilton and the Constitution.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield.

Mr. SPROUL of Kansas. The gentleman will remember that what I undertook to convey to the committee was this: Since Hamilton's day we have seen that the central Government should have the powers which Hamilton advocated it should have.

Mr. CONNALLY of Texas. Does the gentleman mean the appointment by the President of the governors of the States?

Mr. SPROUL of Kansas. No; certain powers. I did not undertake to indorse everything that Hamilton advocated, but I stated he advocated that the Federal Government should have more powers and that Jefferson, in the making of the Louisiana Purchase, adopted the powers which Hamilton advocated.

Mr. CONNALLY of Texas. I did not undertake to deny the gentleman's general statements, but I did ask him this particular question, and there seemed to be a good deal of surprise that anybody should make that kind of a statement.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. FUNK. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. TINKHAM]. [Applause.]

Mr. TINKHAM. Mr. Chairman, many false and misleading statements have been made in relation to arrests for intoxication and violation of the liquor laws in the District of Columbia. The superintendent of police prepared and has transmitted to the Committee on Appropriations statistics which disclose that although the increase in population from 1910 to 1925 was only 34.7 per cent, the arrests for intoxication for this 15-year period have increased 111.9 per cent. The increase for the five-year period, 1920-1925, was shown to be 95.1 per cent. Each year begins July 1 and ends June 30. The arrests for intoxication for these years, beginning July 1, 1910, have been as follows:

1911	4,988
1912	5,663
1913	5,710
1914	8,889
1915	9,788
1916	9,449
1917	9,687
1918	6,896
1919	6,651
1920	3,568
1921	5,415
1922	6,375
1923	8,368
1924	9,149
1925	10,571

The report of the superintendent of police showed also that there was a larger number of arrests for intoxication from July 1, 1925, to January 31, 1926, than for the same months in 1924-25, the figures indicating that at the present rate of increase the total number of arrests for intoxication for the year ending June 30, 1926, will reach 11,500. However, during last week 301 persons were arrested for intoxication, and at this weekly rate the number of arrests for intoxication from January 1, 1926, to December 31, 1926, will exceed 15,000.

It should be noted that previous to 1913 intoxication was not a crime in the District of Columbia.

The report showed also for the same 15-year period the following increases in arrests for violation of the liquor laws:

	Per cent
Illegal possession of liquor.....	14, 300
Manufacture of liquor.....	323
Selling liquor.....	1, 239
Transporting liquor.....	5, 609. 5
Violation of other laws governing the manufacture and sale of liquor.....	278. 5
Drinking in public.....	54. 3

The number of arrests for operating a vehicle while under the influence of liquor was shown to have increased 1,205.5 per cent since 1918, the first year that this was made an offense.

The report showed the following increases in arrests for violation of the liquor laws for the five-year period beginning July 1, 1920:

	Per cent
Illegal possession of liquor.....	845
Selling of liquor.....	297
Transporting liquor.....	1, 773. 4
Drinking in public.....	97. 9
Operating a vehicle while under the influence of liquor.....	316. 6

The report showed the following increases in other crimes in the 15-year period beginning July 1, 1910:

	Per cent
Murder.....	85. 7
Manslaughter.....	1, 400
Assault with dangerous weapon.....	165. 9
Assault with intent to kill.....	200
Robbery.....	95. 2
Bigamy.....	175
False pretense.....	32. 3
Forgery.....	71. 1
Grand larceny.....	235. 2
Housebreaking.....	185. 5
Threats of personal violence.....	80. 3
Carrying weapons.....	77. 7
Fornication.....	418. 6
Disorderly house.....	1, 950
Soliciting prostitution.....	1, 237. 5

And for the five-year period beginning July 1, 1920:

	Per cent
Assault with dangerous weapon.....	23. 4
Assault with intent to kill.....	16. 0
Robbery.....	19. 2
Bigamy.....	57. 1
Embezzlement.....	5. 8
Housebreaking.....	49. 5
Assault.....	2. 8
Disorderly conduct.....	28. 2
Threats of personal violence.....	6. 6
Carrying weapons.....	27. 0
Petit larceny.....	27. 6
Fornication.....	26. 0
Disorderly house.....	247. 4

These statistics disclose a profound civic depravity and social disintegration. Yet comparable statistics are to be found in the records of almost all of America's large cities. History does not record in so brief a number of years such complete moral decadence. No other capital in the world can compare with the Capital of the United States in lawlessness, disorder, and increase in crime.

The District of Columbia is under the complete control of the Federal Government. If the Federal Government under present laws and policies can not establish a better reign of law and order in its own territory, what can be expected from cities not so controlled and without such resources to govern themselves?

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Mr. Chairman, I can count only 24 Members on the floor. It seems that every time our distinguished friend from Massachusetts speaks we should have a quorum. If the gentleman desires one, I will make a point of no quorum for him. If the gentleman is willing to proceed with only 24 Members present, I shall not make it.

Mr. TINKHAM. I am willing to proceed.

The causes for this social dissolution are patent to any casual student of the science of government and the decline of civilizations and any intelligent observer of humankind. Among the foremost should be placed the decline of the permanency of American family life and the destruction of the American home. Divorce in the last 15 years has increased over 100 per cent in the United States. In the home is built the character of the individual; there is taught the value of self-restraint and the virtues of honesty, truthfulness, and obedience to authority.

Another important cause is the loss of respect on the part of the people for the church, which, abandoning the most exalted fields for its endeavors, the salvation and redemption of the individual through moral suasion and spiritual direction, has entered the political arena, thereby establishing in the United States a theocracy, or rule of the church, for a democracy, or rule of the people. American representative government has gradually come under the control of ecclesiastical

authority, which has lost the spiritual influence and control it once exercised over the hearts and consciences of men.

Still another cause is the adoption of constitutional amendments and the passage of laws making crimes of actions which are not sins and to which is attached no moral turpitude. Laws which deny to the individual the control of himself and his own actions in his own home, and which dictate to him the regulation of his diet, are not binding on the intelligence or the conscience of man, as permissible to government to impose, and can never be self-executing. Force alone can compel obedience to such laws, and government is impotent to coerce obedience. The right to live under the club of a policeman and surrounded by paid Government informers has never and never will be called liberty by any free people.

The American home must be restored, the church must be purged of its temporal ambitions and its political aspirations, and the eighteenth amendment must be taken by the roots from the Constitution of the United States, or constitutional government will die at its roots and American civilization perish at its source. [Applause.]

Mr. FUNK. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BEGG, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes, had come to no resolution thereon.

ALTAMAHA RIVER BRIDGE, GEORGIA

Mr. EDWARDS. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 6710) granting the consent of Congress to the State of Georgia and the counties of Long and Wayne, in said State, to construct a bridge across the Altamaha River, in the State of Georgia, at a point near Ludowici, Ga., and move to concur in the Senate amendment.

The Senate amendment was read.

The Senate amendment was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HAWES (at the request of Mr. MILLIGAN), for one week, on account of important business.

To Mr. STROTHER (at the request of Mr. PEERY), for the remainder of the week, on account of illness.

ADJOURNMENT

Mr. BEGG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Thursday, March 11, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for March 11, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10. a. m.)

Agriculture relief legislation.

COMMITTEE ON APPROPRIATIONS

(10. a. m.)

Legislative bill.

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To establish a woman's bureau in the Metropolitan police department of the District of Columbia (H. R. 7848).

COMMITTEE ON FOREIGN AFFAIRS

(10.15 a. m.)

To carry into effect the provision of the convention between the United States and Great Britain concluded on the 24th day of February, 1925 (H. R. 439 and H. R. 9872).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To amend and supplement the merchant marine act, 1920, and the shipping act, 1916 (H. R. 8052 and H. R. 5369).

To provide for the operation and disposition of merchant vessels of the United States Shipping Board Emergency Fleet Corporation (H. R. 5395).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS
(10 a. m.)

Authorizing the construction by the Secretary of Commerce of a power-plant building on the present site of the Bureau of Standards in the District of Columbia (H. R. 5358).

Authorizing the purchase by the Secretary of Commerce of a site and the construction and equipment of a building thereon for use as a master-track scale and test-car depot (H. R. 5359).

An act for the enlargement of the Capitol Grounds (S. 2005).

COMMITTEE ON NAVAL AFFAIRS
(10.30 a. m.)

To authorize the disposition of lands no longer needed for naval purposes (H. R. 9881).

To authorize the admission to naval hospitals of dependents of officers and enlisted men of the naval service in need of hospital care (H. R. 3994).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

390. A communication from the President of the United States, transmitting a supplemental estimate of appropriation under the legislative establishment, House of Representatives, for the fiscal year 1927, in the sum of \$1,780 (H. Doc. No. 265); to the Committee on Appropriations.

391. A letter from the Secretary of Interior, transmitting a list of provisions coming under the head of Government in the Territories; to the Committee on the Territories.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FUNK: Committee on Appropriations. H. R. 10198. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and for other purposes; without amendment (Rept. No. 488). Referred to the Committee of the Whole House on the state of the Union.

Mr. WELSH: Committee on Industrial Arts and Expositions. H. J. Res. 176. A joint resolution establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversaries of the independence of Vermont and the Battle of Bennington, and authorizing an appropriation to be utilized in connection with such observance; without amendment (Rept. No. 489). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAWES: Committee on Interstate and Foreign Commerce. H. R. 8918. A bill authorizing the construction of a bridge across the Mississippi River at or near Louisiana, Mo.; with amendment (Rept. No. 491). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 9392. A bill granting the consent of Congress to the State Roads Commission of Maryland, acting for and on behalf of the State of Maryland, to alter and widen the bridge, and alter, widen, and reconstruct the draw span of the present highway bridge across the Susquehanna River, between Havre de Grace, in Harford County, and Perryville, in Cecil County; with amendment (Rept. No. 492). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 9393. A bill authorizing the construction of a bridge across Rock River at the city of Beloit, county of Rock, State of Wisconsin; with amendment (Rept. No. 493). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 9596. A bill granting the consent of Congress to the board of county commissioners of Aitkin County, Minn., to construct a bridge across the Mississippi River; with amendment (Rept. No. 494). Referred to the House Calendar.

Mr. BARKLEY: Committee on Interstate and Foreign Commerce. H. R. 9599. A bill granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city; with amendment (Rept. No. 495). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 9634. A bill granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Rus-

sellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River at or near the city of Dardanelle, Yell County, Ark.; with amendment (Rept. No. 496). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 9688. A bill granting the consent of Congress to the construction, maintenance, and operation of a bridge across Sandusky Bay at or near Bay Bridge, Ohio; with amendment (Rept. No. 497). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 4080. A bill granting the consent of Congress to the city of Fort Smith, Sebastian County, Ark., and the Fort Smith waterworks district of said city to construct, maintain, and operate a dam across the Poteau River; without amendment (Rept. No. 498). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 5012. A bill to legalize a pier into the Atlantic Ocean at the foot of Rehoboth Avenue, Rehoboth Beach, Del.; without amendment (Rept. No. 499). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 9346. A bill granting the consent of Congress to the construction of a bridge across the Rio Grande; without amendment (Rept. No. 500). Referred to the House Calendar.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 9460. A bill granting the consent of Congress to the highway department of the State of Minnesota to reconstruct a bridge across the Mississippi River between the city of Anoka, in Anoka County, and Champlin, in Hennepin County, Minn.; without amendment (Rept. No. 501). Referred to the House Calendar.

Mr. HILL of Alabama: Committee on Military Affairs. S. J. Res. 59. A joint resolution authorizing the Secretary of War to lend 3,000 cots, 3,000 bed sacks, and 6,000 blankets for the use of the encampment of the United Confederate Veterans, to be held at Birmingham, Ala., in May, 1926; with amendment (Rept. No. 502). Referred to the Committee of the Whole House on the state of the Union.

Mr. JAMES: Committee on Military Affairs. S. 1144. An act authorizing the Secretary of War to acquire a tract of land for use as a landing field at the air intermediate depot, near the city of Little Rock, in the State of Arkansas; with amendment (Rept. No. 503). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 252. A bill to authorize the Secretary of the Treasury to accept a title to a site for the post office at Donora, Pa., which excepts and reserves natural gas and oil underlying the land; without amendment (Rept. No. 504). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 3971. A bill to correct and perfect title to certain lands and portions of lots in Centerville, Iowa, in the United States of America, and authorizing the conveyance of title in certain other lands, and portions of lots adjacent to the United States post-office site in Centerville, Iowa, to the record owners thereof by the Secretary of the Treasury; without amendment (Rept. No. 505). Referred to the Committee of the Whole House on the state of the Union.

Mr. THOMAS: Committee on Public Lands. H. R. 9559. A bill granting certain public lands to the city of Altus, Okla., for reservoir and incidental purposes; without amendment (Rept. No. 506). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 9832. A bill granting an easement on public land to Legion Post No. 8, Nebraska City, Nebr.; without amendment (Rept. No. 507). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CELLER: Committee on Claims. H. R. 4902. A bill for the relief of Washington County, Ohio, S. C. Kile estate, and Malinda Frye estate; with amendment (Rept. No. 490). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FUNK: A bill (H. R. 10198) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1927, and

for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. FREAR: A bill (H. R. 10199) respecting vested rights of Indians in reservations created by treaty; to the Committee on Indian Affairs.

By Mr. PORTER: A bill (H. R. 10200) for the acquisition of buildings and grounds in foreign countries for the use of the Government of the United States of America; to the Committee on Foreign Affairs.

By Mr. ROWBOTTOM: A bill (H. R. 10201) renewing and extending patent No. 912383; to the Committee on Patents.

By Mr. WHITEHEAD: A bill (H. R. 10202) granting an extension of patent to the United Daughters of the Confederacy; to the Committee on Patents.

By Mr. FREE: A bill (H. R. 10203) authorizing the Secretary of War to convey certain portions of the military reservation of Monterey, Calif., to the city of Monterey, Calif., for street purposes; to the Committee on Military Affairs.

By Mr. McLEOD: A bill (H. R. 10204) providing an additional wing to the District Jail; to the Committee on the District of Columbia.

By Mrs. NORTON: A bill (H. R. 10205) to provide for the more effectual enforcement of the narcotic drugs acts; to the Committee on Appropriations.

By Mr. RAGON: A bill (H. R. 10206) to allow suits of all claimants to be filed in the United States district courts against the United States of America growing out of the *Norman* disaster of May 8, 1925, on the Mississippi River, and making appropriation for the payment of any judgment obtained; to the Committee on the Judiciary.

By Mr. WEFALD: A bill (H. R. 10207) to assist inventors in perpetuating evidence of conception of their inventions; to the Committee on Patents.

Also, a bill (H. R. 10208) amending the statutes of the United States as to the procedure in the Patent Office; to the Committee on Patents.

By Mr. HOWARD: Joint resolution (H. J. Res. 194) to prevent the exportation from the United States of crude oil and gasoline for a period of one year; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Virginia: Joint resolution (H. J. Res. 195) providing for the appointment of a diplomatic representative to the National Republic of Georgia; to the Committee on Foreign Affairs.

By Mr. WILSON of Mississippi: Joint resolution (H. J. Res. 196) calling upon the Department of Justice to investigate the alleged sale of post-office appointments in the State of Mississippi; to the Committee on the Judiciary.

By Mr. STEVENSON: Resolution (H. Res. 163) relative to the sale of postal positions in South Carolina; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLAN: A bill (H. R. 10209) for the relief of Philip T. Coffey; to the Committee on Military Affairs.

By Mr. BLOOM: A bill (H. R. 10210) granting a pension to Eugene N. Hoyt, alias William Naylor; to the Committee on Invalid Pensions.

By Mr. BRIGHAM: A bill (H. R. 10211) granting a pension to Angelina H. Fortier; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 10212) granting a pension to Mary A. Van Vechten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10213) granting an increase of pension to Eliza Pedrick; to the Committee on Invalid Pensions.

By Mr. EATON: A bill (H. R. 10214) granting an increase of pension to Henrietta Cromwell; to the Committee on Pensions.

By Mr. ROY G. FITZGERALD: A bill (H. R. 10215) granting an increase of pension to Jane C. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10216) granting an increase of pension to Caroline Greenfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10217) granting an increase of pension to Malinda E. Willhaite; to the Committee on Invalid Pensions.

By Mr. W. T. FITZGERALD: A bill (H. R. 10218) granting an increase of pension to Mollie M. Corya; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10219) granting an increase of pension to Amanda Ammon; to the Committee on Invalid Pensions.

By Mr. FREDERICKS: A bill (H. R. 10220) for the correction of the military record of Allen Carter; to the Committee on Military Affairs.

Also, a bill (H. R. 10221) granting a pension to John G. Slate; to the Committee on Pensions.

Also, a bill (H. R. 10222) granting a pension to Clarinda Mason Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10223) granting an increase of pension to William H. Baird; to the Committee on Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 10224) granting an increase of pension to Harriet M. Rodman; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 10225) for the relief of Maj. Harry O. Smith; to the Committee on Claims.

By Mr. GLYNN: A bill (H. R. 10226) to correct the military record of John P. Daley; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 10227) for the relief of Charles W. Reed; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 10228) granting an increase of pension to Francis S. Torback; to the Committee on Pensions.

By Mr. McSWAIN: A bill (H. R. 10229) for the relief of Capt. Noe C. Killian; to the Committee on War Claims.

By Mr. MONTGOMERY: A bill (H. R. 10230) granting a pension to Elbert C. Francis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10231) granting an increase of pension to Emily R. Gray; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 10232) granting an increase of pension to Mary J. Miller; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 10233) granting a pension to Frank E. Brown; to the Committee on Pensions.

By Mr. STEPHENS: A bill (H. R. 10234) granting a pension to Lucy E. Warren; to the Committee on Invalid Pensions.

By Mr. STOBBS: A bill (H. R. 10235) granting an increase of pension to Emma L. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10236) granting an increase of pension to Mary E. Garland; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 10237) granting a pension to Sarah A. T. Fox; to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 10238) for the relief of Josiah Odgen Hoffman; to the Committee on Naval Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10239) granting an increase of pension to Rebecca A. Craig; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1135. Petition of the Common Council of Milwaukee, Wis., asking the Federal Government to abate nuisance caused by the new fog horn installed in Milwaukee; to the Committee on Interstate and Foreign Commerce.

1136. By Mr. BERGER: Petition of Hugh J. McGrath Camp, No. 4, United Spanish War Veterans, Department of Wisconsin, Milwaukee, Wis., signed by approximately 2,100 citizens, praying for the early consideration and enactment of House bill 98, since superseded by House bill 8132, which grants an increase of pensions to certain soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors; to the Committee on Pensions.

1137. Also petition of 3,000 citizens residing in New York and New Jersey, for the national ownership and democratic management of coal mines under conditions which will (1) protect the Nation from paying on the basis of swollen valuation, (2) recognize the interests of the workers in their own union, and (3) guarantee democratic administration in place of bureaucracy; to the Committee on Interstate and Foreign Commerce.

1138. By Mr. CAREW: Petition of the National Guard Association of New York, in re appropriation of funds for military annuals for National Guard; to the Committee on Military Affairs.

1139. Also, petition of Morgan J. O'Brien, in support of increase of Federal judicial salaries; to the Committee on the Judiciary.

1140. By Mr. CROWTHER: Petition of sundry citizens of Amsterdam, N. Y., opposing House bills 7179 and 7822, compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

1141. Also, petition of sundry citizens of Schenectady, N. Y., opposing House bills 7179 and 7822, compulsory Sunday ob-

servance in the District of Columbia; to the Committee on the District of Columbia.

1142. By Mr. CURRY: Petition of the California Fish and Game Commission, protesting against enactment of House bill 17; to the Committee on the Merchant Marine and Fisheries.

1143. By Mr. FOSS: Petition of sundry citizens of South Lancaster, Mass., opposing compulsory Sunday observance; to the Committee on the District of Columbia.

1144. By Mr. FREDERICKS: Petition of sundry residents of Los Angeles, Calif., favoring House bill 98, Spanish War veterans' pensions; to the Committee on Pensions.

1145. By Mr. GALLIVAN: Petition of George R. Nutter, president the Bar Association of the city of Boston, 161 Devonshire Street, Boston, Mass., recommending early and favorable consideration of House bill 7907, to increase salaries of Federal judges; to the Committee on the Judiciary.

1146. By Mr. GARRETT of Tennessee: Petition of the Mothers' Club of Greeneville, Tenn., opposing the passage of the pending educational bill; to the Committee on Education.

1147. Also, petition of the Cherokee Club of Greeneville, Tenn., opposing the passage of the pending educational bill; to the Committee on Education.

1148. By Mr. GLYNN: Petition of sundry citizens of Torrington, Conn., opposing compulsory Sunday observance; to the Committee on the District of Columbia.

1149. By Mr. KINDRED: Petition of Oscar Amann Post, No. 853, American Legion, asking for a modification of the Volstead law to permit the sale of beer and light wines; to the Committee on the Judiciary.

1150. By Mr. KVALE: Petition of sundry members of the Minnesota Editorial Association, in convention assembled, unanimously urging the consummation of the St. Lawrence tidewater project in order to eliminate the transportation handicap now operating against the agricultural sections of the Nation; to the Committee on Rivers and Harbors.

1151. Also, petition of sundry members of the Minnesota Editorial Association, in convention assembled, unanimously urging adoption of House bill 4478; to the Committee on the Post Office and Post Roads.

1152. By Mr. LYON: Petitions of certain citizens of Fayetteville and Cumberland Counties, N. C., protesting against the passage of compulsory Sunday observance bills H. R. 7179 and H. R. 7822; to the Committee on the District of Columbia.

1153. By Mr. MacGREGOR: Resolutions of the Buffalo Branch of the Polish Welfare Council of America, protesting against the annual registration of aliens; to the Committee on Immigration and Naturalization.

1154. By Mr. O'CONNELL of New York: Petition of John J. Canning, of Brooklyn, N. Y., chairman of the board of directors of the Brooklyn Insurance Brokers' Association, opposing the Fitzgerald insurance bill; to the Committee on the District of Columbia.

1155. Also, petition of Kenneth Fisk, recorder of the New York Commandery of the Naval Order of the United States, favoring the passage of House bill 9433, for the relief of Lieut. A. E. Metz; to the Committee on Naval Affairs.

1156. Also, petition of the National Council of Business Mail Users of New York City, requesting action during the present session of Congress toward the reduction of present postal rates; to the Committee on the Post Office and Post Roads.

1157. Also, petition of the Disabled American Veterans of the World War, favoring certain amendments to the World War veterans' act; to the Committee on World War Veterans' Legislation.

1158. By Mr. SWING: Petition of sundry residents of Hinkley, Calif., protesting against passage of House bills 7179 and 7822 and similar bills for the compulsory observance of Sunday; to the Committee on the District of Columbia.

1159. By Mr. TILSON: Petition of Robert H. Covert, New Haven, Conn., and others, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

1160. By Mr. VINCENT of Michigan: Petition of numerous citizens of Ionia, Montcalm, Shlawassee, and Saginaw Counties, Mich., protesting against House bills 7179 and 7822, which provide for compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

1161. By Mr. WEFALD: Petition of 45 residents of Roseau County, Minn., urging that the Sunday observance bills (H. R. 7179 and 7822), or any other national religious legislation which may be pending, be not passed; to the Committee on the District of Columbia.

1162. By Mr. WELSH: Petition of Branch No. 175, Knights of St. George, Tacony, Pa., consisting of 250 members, protesting against passage of Curtis-Reed education bill; to the Committee on Education.

SENATE

THURSDAY, March 11, 1926

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, as the recipients of Thy mercies, we come to-day this morning to thank Thee for past blessings and to trust our lives into Thy keeping for future responsibilities. Deal with us most mercifully. Thou knowest the drift of each heart and mind, and too often we choose for ourselves ways not agreeable to Thy will. Help us to look less and less upon ourselves and more and more unto Thee for guidance in the manifold duties granted unto us. We ask in Jesus' name. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday last, when, on request of Mr. JONES of Washington and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bayard	Ernst	King	Robinson, Ark.
Bingham	Ferris	La Follette	Schall
Blease	Fess	McKellar	Sheppard
Borah	Fletcher	McLean	Shipstead
Bratton	Frazier	McNary	Shortridge
Brookhart	George	Mayfield	Simmons
Broussard	Glass	Means	Smoot
Bruce	Goff	Metcalf	Stanfield
Butler	Gooding	Neely	Stephens
Cameron	Greene	Norris	Swanson
Capper	Hale	Nye	Trammell
Caraway	Harrell	Oddie	Tyson
Copeland	Harris	Overman	Wadsworth
Conzens	Harrison	Pepper	Walsh
Cummins	Heflin	Phipps	Watson
Dale	Howell	Pine	Weller
Deneen	Johnson	Pittman	Wheeler
Dill	Jones, Wash.	Ransdell	Williams
Edge	Kendrick	Reed, Mo.	Willis

Mr. JONES of Washington. I was requested to announce that the Senator from Kansas [Mr. CURTIS], the Senator from Maine [Mr. FERNALD], and the Senator from New Hampshire [Mr. KEYES] are absent because of illness.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is absent on account of illness.

The VICE PRESIDENT. Seventy-six Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6710) granting the consent of Congress to the State of Georgia and the counties of Long and Wayne, in said State, to construct a bridge across the Altamaha River, in the State of Georgia, at a point near Ludowici, Ga.

ENROLLED BILLS SIGNED

The message also announced that the Speaker of the House had affixed his signature to the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1129. An act authorizing the use for permanent construction at military posts of the proceeds from the sale of surplus War Department real property, and authorizing the sale of certain military reservations, and for other purposes; and

H. R. 6710. An act granting the consent of Congress to the State of Georgia and the counties of Long and Wayne, in said State, to construct a bridge across the Altamaha River, in the State of Georgia, at a point near Ludowici, Ga.

WARM SPRINGS (GA.) FISHERIES STATION (S. DOC. NO. 80)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, with an accompanying letter from the Director of the Bureau of the Budget, transmitting a supplemental estimate of appropriation under the Department of Commerce, Bureau of Fisheries, for an auxiliary fish-cultural station at Warm Springs, Ga., fiscal year 1927, amounting to \$30,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

ADMINISTRATION OF SHERMAN ANTITRUST LAW (S. DOC. NO. 79)

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to Senate Resolution 153 (submitted by Mr. KING and agreed to February 22, 1926) certain data with reference to cases insti-